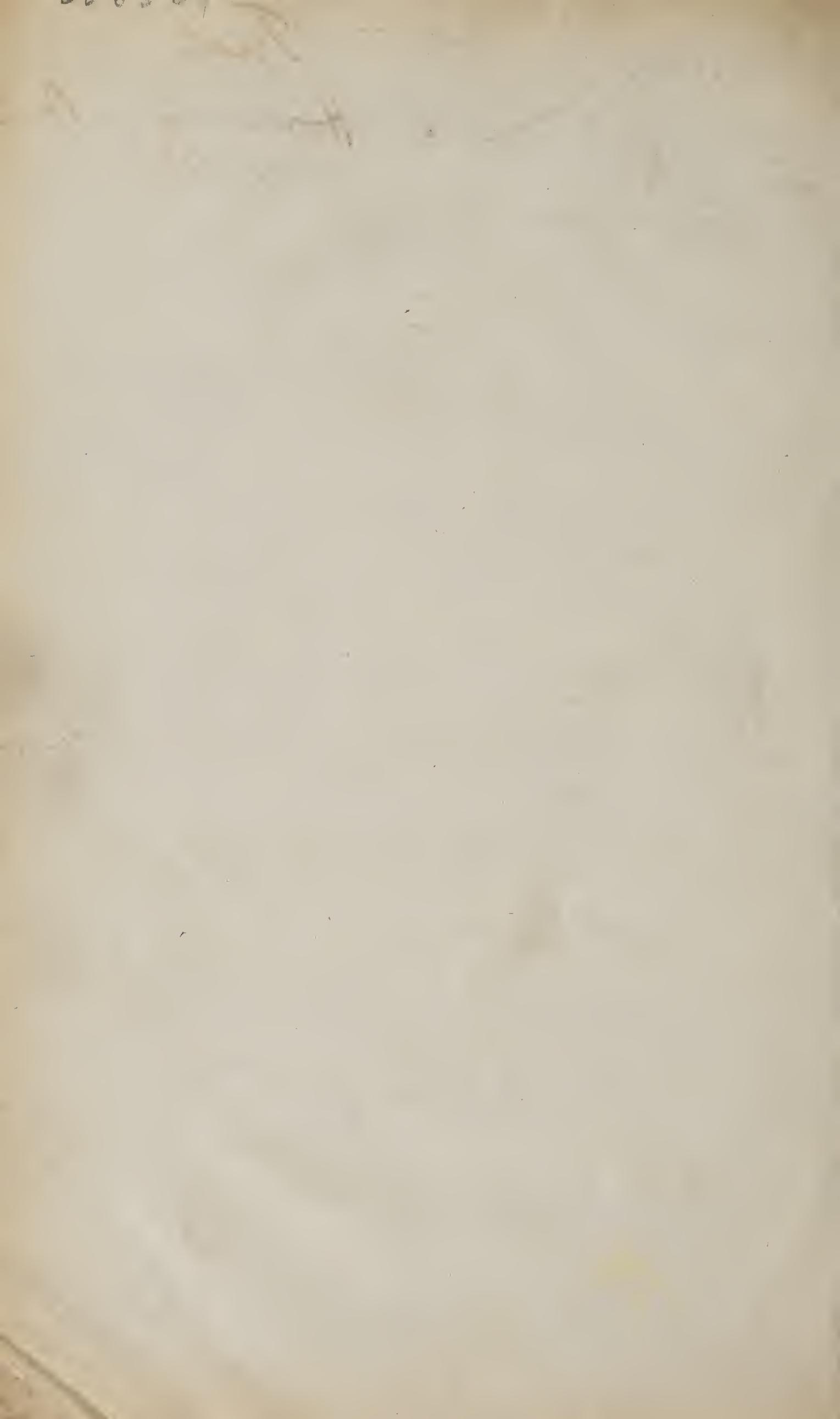


MATHER

Trial
Horseman v Bu
York 1819



A
Plain Narrative
 OF
FACTS
 RELATIVE TO THE
RECEPTION AND TREATMENT
 OF
JANE HORSMAN,
 AT THE
Establishment at Clifton,
 OF WHICH
DR. BELCOMBE & MR. MATHER,
ARE PROPRIETORS;
 WITH A FEW PRELIMINARY OBSERVATIONS
 ON
INSANITY IN GENERAL:
 AND
 Some Remarks on the Circumstances
 Preceding and attending the late Trial,
HORSMAN AGAINST BULMER AND OTHERS.
 BY
ALEXANDER MATHER,
 MEMBER OF THE ROYAL COLLEGE OF SURGEONS.

Dork:

Printed at the Gazette Office, by JOHN WOLSTENHOLME.

PRICE THREE SHILLINGS.

1819.



Advertisement.

IN offering the following Sheets to the Public, I am not conscious of being influenced by any motive, but that of vindicating myself from a foul misrepresentation, of my intentions and conduct, and of the Treatment which MISS HORSMAN received in CLIFTON HOUSE ; and affording a fair detail of all circumstances referring to these subjects.

IF, in effecting this, I have been under the necessity of speaking plain truths, which may be injurious to the feelings or cast a censure on the conduct, or motives of others, the blame rests not with me. I have avoided, as much as possible, all asperity ; but it is impossible to avoid *personalities* where so many persons have been concerned. My object is Truth ;—my Statement will be found impartial ;—and my Defence, as much as possible, void of resentment.

A. M.

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PRELIMINARY OBSERVATIONS.

AMONG the multiplicity of afflictions, to which human nature is subject, none is more degrading to the afflicted person, none more distressing to all connected with him, than those arising from Diseases which affect the Mind. In bodily diseases, where the mental faculties are not disturbed, Reason, exercising its just sway, supports the sufferer under his pains, and points out to him the probable period of their termination, or fortifies him with patient endurance under their protracted existence. Those occurrences in life, which disappoint the endeavours, blast the hopes, excite the apprehensions, or mortify the finest feelings, of the human heart, are all rendered supportable by the influence of that intellectual Power, which so mysteriously pervades our corporeal frame. This inspires man with conscious dignity, and authority over the other Creatures of the Almighty's hand;—this rouses him to exertion under disappointment;—in spite of blighted hopes and adverse circumstances, this teaches him to look forward to a favourable change. When dangers or terrors threaten, this excites him to “play the man,” and exert himself to avert the impending evil, or repel the foe that invades his peace. Even when the inmost recesses of the heart are invaded by those events of Providence which dissolve the tenderest ties, or by those injuries which enemies or faithless friends impose—which *Man*, not satisfied with the natural evils that await his Species,

wantonly or malignantly inflicts on *Man* ;—even then, this principle of animation and action influences him : He learns from it, to contend, when conscious of strength ; or to submit, when divested of power.

But when this fine portion of the human being is *invaded by disease* ; Man, in proportion to its influence, loses his dignity :—the understanding is clouded,—the imagination is disturbed,—the ideas are confused,—the affections are inverted, the *Will* is perverted and depraved, and assuming the seat of that discriminating exercise of the understanding called, the *Judgment*, its mandates are conveyed to the organs of action, and exhibited in folly, absurdity, contention, uncontrolled sensual appetite, insensibility to decency and propriety, and a desire to injure or destroy his fellow-creatures. Thus the finest work of the Creator's power is reduced to a level with the beasts that perish. To this is often added, the inversion of the first law of nature ;---and the principle of self-preservation, by which the meanest animal is influenced, is often supplanted by a principle of self-destruction.

THE diseases of the Body are, in many instances, obvious to the *Senses* ; or, if these are shut out from the seat of the disease, the skilful Physician is often conducted, by the symptoms, to the hidden recesses of the human frame. The endless variety of bodily disorders, their modifications, arising from temperament, habit, or climate, and various other causes that affect the functions of the vital or natural organs, require the study of a whole life, aided by the experience of former ages, to enable the Physician to lay claim to much knowledge

3

of the nature of diseases, or to apply his remedies with the prospect of success.

BUT the intellectual and moral power, whose attributes, "we see through a glass darkly," to which we have, as yet, no sure guide ; and the existence of which, has been supposed to be proved only by the faculty of "*Thinking*," lies far hidden from human ken.

THE wisdom of ages throws little or no light upon the *Diseases of the Mind*. The theory of the *Moderns*, on this class of human maladies, is so defective, that, as yet, no definition has been given of them. Their experience is confined to a few facts, and the various classes of these diseases are designated by one common name, either, according to the crude notions of the Antients, of the influence of a certain planet on those affected by them ; or one, now more generally adopted, but just as absurd, which, in its proper acceptation, applies equally to the body as to the mind.

IT will, perhaps, surprise some, who have lately taken upon themselves to direct the treatment of this class of patients, when informed, that the diseases of the Mind, are as various as those of the Body ; and that their modifications, arising much from the same causes, but influenced by many collateral circumstances that do not affect the Body, are also as varied as those, from the lowest degree of the febrile accession, produced by a common cold, to the highest point of the most malignant pestilential fever. These variations differ likewise in degree, duration, and violence.—It is also well-known, that bodily indisposition is a frequent cause of Mental

Disease ; and that, at other times, the Malady seems purely mental ; or an *idiopathic disease* of the mind ; and it is often equally difficult to distinguish these, or find out their connexion.

HITHERTO, no scientific classification of Mental Disease has been given : There is, indeed, a crude division of Maladies affecting the Mind into two kinds, arising merely from the external behaviour. When the Patient is noisy or violent in his exertions, he is called a *Maniac* ; when silent and dejected, he is called a *Melancholic* ; but these often alternate in the same Patient ; and to be consistent, we must change the name of the Disease, as often as these external symptoms vary, though the *nature* of the Disease, or what is called the *proximate Cause*, may remain the same. The shades in the varieties of Mental Disease, are also so blended, as often to confound the two distinctions ; and are so minute, as frequently to elude the most practised Eye : How much more then that of a common observer.

It would seem unseasonable here to enter at length into the Subject ; but I will just observe the terms, *Insanity*, or *Lunacy*, though more comprehensive, are even more vague than those above used : The one means merely *unsound* ; the other *under the influence of the Moon*. *Mental derangement* gives no precise idea of the disease ; and it is difficult to affix to it a just explanation. (*The derangement of the mind, or its faculties, is perfectly an identical definition, or using, as nearly as possible, the same words.*) *Mental disturbance*, *Mental excitement*, express nothing beyond the term Mental Disease : But these terms are used generally to designate the *Malady*,

in its mild or incipient forms ; and refer, particularly, to those symptoms that, in the onset, arise from habitual Intemperance.

If, therefore, the investigation of *Bodily* diseases requires long and laborious research, and presents difficulties to the most studious and well-tutored Physician ; how much more difficult is it to trace the nature and causes of diseases of the *Mind*?—The greatest talents, improved by education, or inured, by the severest studies, to the contemplation of the deep things in the natural world, when they endeavour to enter the intellectual regions, meet with difficulties that retard their progress at every step : And if so little can be accomplished in the contemplation of *Mind*, in its healthy state, is it surprising that our stock of knowledge, in respect to this hidden Power, is so scanty in its diseased state ?

A scientific classification of Mental Diseases is then a *desideratum* * It is the first step towards a just basis upon which to found the hope of successful practice. This can only be attained by a due attention to symptoms, modified by the various causes that influence the constitution, and the habits of the patients ; and by a close investigation of the immediate and remote causes of the Disease. In the mean time, much may be learned by the experienced Physician, from the analogy and

* Dr. Arnold has indeed taken some pains to afford the outlines of a Nosological Arrangement of these Diseases ; but his mode of treating the subject is quite *theoretical*, and his division of insanity, into *ideal* and *notional*, scarcely intelligible.

the connexion that exists between the diseases of the body and those of the mind : and by that close attention to facts and judicious discrimination of Symptoms, by which he has been assisted in the investigation of bodily diseases. He will call in *medicine* to his aid, where a bodily connexion, or cause can be traced.—He will not harass the patient with drastic compounds, when the bodily indisposition, connected with the mental disease, is rectified ; or where the disease lies in a *Wounded Spirit*.—Here he will put in action that Instrument which is the most difficult of acquisition, and which requires the greatest skill and delicacy in its application—**THE INFLUENCE OF MIND OVER MIND.**—But this cannot be exercised where there is a total or considerable alienation of the Mental faculties: in such cases, a vigilant care, and the little innocent gratifications of sense, such as parents would allow their children, must be afforded.

IT has been erroneously supposed by many, that, where there is a power of connecting ideas and expressing them with tolerable accuracy or fluency; or where an obvious caution or calmness appears in the conduct of a person; or where, in a few minutes or hours conversation, they *cannot* find any sign of wildness or incoherence,—there exists no disease. On the contrary, a suspicious caution, a designing cunning, and a morbid jealousy, are almost constant attendants on certain *classes* and *degrees* of Mental Disease. Increased acuteness of perception—a quickness in detecting error, or wrong in others—satirical, or ill-natured misrepresentations, and the use of the most cutting sarcasms, more particularly towards those, whose duty it is to

watch over them, are to be found continually in another *Class*;—the most determined perversion of truth, which they know is too glaring to obtain belief;—*a steady uniformity of conduct** to gain a particular object, and the whole powers of their mind, almost exclusively, directed to one subject, are the indications of another *Species*. It would take too much time to exemplify further all the varieties and modifications of the different classes of this *Proteiform Malady*.

THERE is one circumstance, however, of the propriety of which all are convinced; although few are willing to act upon it, viz.: THE NECESSITY OF ENDEAVOURING TO CHECK THE PROGRESS OF MENTAL DISEASE IN ITS EARLIEST STAGES.—Experience teaches us that, in our present state of knowledge on this subject, confirmed *Insanity*, as it is called, is rarely cured.

THE most irrefragable proofs, and most numerous instances can be adduced, of the speedy removal of the incipient symptoms of the disease; especially when they arise from Intemperance, and are unconnected with constitutional predisposition; while, on the other hand, when the habit is formed, and the morbid impressions, though weak and scarcely perceptible at first, are become firmly stamped upon the mind, they obtain a permanency which cannot be effaced.—Some, who have thought themselves able to

* See Haslam's Account of a Patient in Béthlem Hospital, who was twelve months employed in sharpening a nail, with which he formed a *stileto* to stab his keeper; during the whole of which period, he behaved with the utmost complacency and calmness, till, watching his opportunity, he made the long meditated attempt.

distinguish the nice shades between mental health and disease, have, perhaps, yet to learn, that *Predisposition to Insanity, is often the exciting cause of Intemperance*: and to this cause may justly be referred the tendency to indulgence in the excessive use of intoxicating Agents, which produces, as it were, by succession, in certain families, a devotion to *this Vice*, which may properly be called hereditary. But these habits can seldom be broken, while the opportunities of gratifying the morbid passion are within reach.* The predisposition, and the practice acting upon each other, mutually become exciting causes; and, by delay, the disease is confirmed, or the unfortunate victim of this habit, in a fit of phrensy, or in a moment of collapse, becomes the instrument of his own destruction.

MENTAL disease, arising from other causes, is generally associated with objects or impressions with which the mind has been familiar; and persons, and local circumstances connected with *Home*, are frequent causes of exciting or exasperating the morbid delusion. Hence, a speedy removal from the contemplation of these, and a certain degree of controul, judiciously exercised, joined with proper medical treatment, seldom fail to subdue, or entirely remove, the incipient disease.

* From amongst a multiplicity of instances one may be selected;—that of a young man, now at Clifton House, who was recovered, at three different periods, by proper treatment, from paroxysms of mental derangement, brought on each time by intemperance. The fourth time he returned with his faculties impaired, and the disease confirmed.

It was this view of the importance of an early application of the means of relief or cure in *recent* cases, that induced two medical gentlemen, whose names have lately been brought before the public, *connected with every accusation that malice or calumny could invent*, to devote a portion of their Capital and their Time, to the construction and superintendence of an Establishment, chiefly instituted for the purpose of receiving such persons as have not long been afflicted. Their number was limited, that they might afford to each individual every possible attention which his malady demanded. ---Their motto was "*Principiis Obsta.*" ---Their object will be best explained by a Circular Letter, in which they first announced their intentions:---

" Of all the calamities to which human nature is subject, none more painfully affects the feelings than the condition of those, who labour under that train of Nervous Symptoms, which too frequently terminates in partial or total derangement of the mental faculties.

" In no case does the maxim, "*principiis obsta,*" apply with more force and propriety:—In none is this important injunction more generally neglected. The tenderness of friends, and the dread of the discipline of a mad-house, often prevent such sufferers from being placed under proper care, until the disorder is confirmed, and a fellow-creature is lost, perhaps, for life, to the comforts of Society.

" The frequent melancholy instances of this sort, which they have witnessed, have induced two Medical Men, whose experience has been varied and extensive, to offer a RETREAT, principally to persons whose complaint

is recent, in which every means will be used for their speedy restoration.

" For this purpose they propose to open two houses ; —one in the immediate vicinity of York ; and the other a few miles distant in the Country. In the first will be received such cases as require constant medical attention. The latter will be accommodated to the reception of those whose malady is less urgent, or who have made some advance towards recovery ; to whom every liberty, consistent with their safety, will be there allowed ; and every advantage, arising from rural amusement, recreation, and the moderate exercise of body and mind, will be sedulously employed to cherish returning health and reason.

" From their plan of treatment is excluded all severity of discipline : every thing that tends to break the spirit, or enslave the mind. In it they will endeavour to combine all that can be derived from medical and moral aid, to recruit the health of the body, and restore the vigour of the understanding.

HERE their primary intention is developed :—Hence, it will be seen that, in the case of Jane Horsman, they have acted up to their convictions and professions.

THAT they considered her benefit more than their own interest will appear from the perusal of the following Pages ; and that no restraint was laid upon her, but that which was necessary to prevent *Self-destruction*, was proved to the satisfaction of the venerable Judge who tried the cause,—*Horsman against Bulmer and Others*. That this was her morbid determination was most credibly and positively stated by her near kindred,

and the *viva voce* evidence of the attending Apothecary, who gave a Certificate that her mind was disturbed, and that she was unfit to be at large.

(COPY OF THE CERTIFICATE.)

“ I do certify, that I have seen Jane Horsman, ‘ of Poppleton, near York, and am of opinion she is now “ in such a disturbed state of mind, that she is not safe to “ be at large.

“ Witness my hand, this 7th Day of May, 1818,

“ WM. MATTERSON, Surgeon.”

REMARKS on the calumnious and malignant charges brought against these Persons,—the nature of the testimony and the scheme of including those in the defence who were most competent to give Evidence, and other extraordinary circumstances preceding or attending this trial; together with some observations on the Law, as it now stands, “for the regulation of Licenced Houses for the reception of the Insane,” and particularly as applying to this Case, shall be given in the sequel.

WITH regard to the question, How long a person is to remain under care after the morbid excitement appears to be removed?* I answer,—that circumstance must be

* Dr. Latham, in his Evidence before the House of Commons, relates a circumstance of two females, who were confined in a House, which, as Commissioner from the College of Physicians, he was appointed to visit. He thought them both of sound mind; and having desired them to write letters to their respective friends, his opinion was confirmed, and he ordered them to be discharged. Visiting the same House about twelve months afterwards, he found, on inquiry, that one had hanged herself, and the other had drowned herself. (*See First Report, p. 113.*)

left to the discretion and integrity of the persons keeping the house, or the Visiting Physician, who, in conjunction with the Proprietors, should examine the Patient at different times, and at certain intervals, before this can be legitimately determined.—Jane Horsman, as stated in the trial, was 20 days under care ; signs of convalescence began to appear after she had been in the house 10 days. Was she immediately to be removed into the situation from whence she came, and where the causes of the mental excitement, that impelled her to threaten her life, still existed : or was it prudent to detain her till her reason was fortified, and the morbid emotions were fully subdued ?

I will do her the justice to announce, that when she had been 10 or 12 days under our Care, she acknowledged the propriety of this latter plan herself, and readily admitted that the period of *one month* was as short a time as we could ask, to make up our minds as to her perfect Sanity ; and voluntarily consented to remain at Clifton House till its expiration.—I would ask, what would be thought of the humanity or judgment of the physician, who, the moment a malignant typhus fever was at the *crisis*, turned his back upon the patient, and left him to contend alone against the consequent weakness ?—A certain degree of mental imbecility as surely follows every paroxysm of mental excitement, as bodily weakness does the attack of a Fever. If the febrile patient relapse the limbs are often paralysed, and the faculties of both body and mind impaired. If the paroxysms recur, as we see in many lamentable instances, the mental imbecility is confirmed.

THE Public beyond the environs of York, will, per-

haps, have supposed, from the allegations which were produced at the Trial, against the Proprietors of the Clifton Establishment, that they are two needy adventurers, who having learned to put on a strait waistcoat with dexterity, or apply a chain to the leg, at some public Lunatic Hospital, are setting up for themselves in order to wring a livelihood out of the miseries of the most pitiable class of their fellow-creatures. They do not deny that they look for a just and liberal remuneration from that Class of Patients, for whom their Establishment was intended, and for those comforts which it affords, and which can be no where exceeded;---and for a devotion of their time and talents to the relief or cure of the most dreadful of Maladies ; by which their sphere of usefulness has been extended, and a Branch which has too long been separated from the Medical Profession has been reclaimed.---But from the long series of persecutions which they have endured, they may indeed justly complain of a conspiracy against themselves, whose object seems to be to injure their Reputation and ruin their Establishment. They have been treated with the most unjustifiable and malignant severity ;—their characters have been traduced ;—their conduct grossly misrepresented ;—and their house forcibly and unjustly broken open. Their most liberal, candid, and even benevolent endeavours to restore speedily to Miss Horsman the use of her Reason, and the exercise of their influence, to bring about an amicable understanding between her and her mother, which did not cease, as will be made appear, even after the forcible abduction of the former from their house, have all been misrepresented and calumniated : And her abode with them, during the short space of little more

than twenty days, in which her Cure was accomplished, and the arrangements completed for her receiving her relations, and her mother at Clifton, and returning home with them, have been *designated*, by malignant and designing persons, as an Imprisonment the most cruel and illegal, and Treatment the most harsh and disgusting, for the purpose of serving sinister and selfish views of the vilest kind. What these *sinister* and *selfish* purposes were, may be clearly understood by Dr. Belcombe and Mr. Mather agreeing between themselves, soon after Miss H. was committed to their care, to rank her expences among those of the lowest class of patients : Mr. M. having particularly stated to Dr. B. that whatever they received, must come from the limited income of her mother, who was dependant upon her Son in the East Indies for support.

AND it was for these motives, and these benevolent purposes and endeavours, that the Jury were called upon, to destroy the professional reputation of men, who, for thirty years and upwards, have maintained a highly respectable rank in society, by imposing upon them a fine, as participators in a base Conspiracy, for the purpose of obtaining possession of the person, and converting to their own use, the poor pittance allowed for the maintenance, of a defenceless woman. It was for these that their names were held up to the County of York, and the whole World,—and will be handed down to posterity, with all the obloquy that prejudice, falsehood, and malice could invent, or *technical forms* could allow those to indulge in, who know not how to value Character!

STATEMENT.

It will be proper to introduce the Statement with the detail of a few circumstances that took place, previously to my first interview with Miss Horsman at Clifton House.

ON the 6th of May, 1818, the Rev. Wm. Bulmer, called upon Dr. Belcombe, and informed him, that he was requested by Mrs. Horsman, to apply to him, to receive her daughter, Miss Jane Horsman, into the House at Clifton, on account of the alarm into which she had been thrown by the conduct of Miss J. Horsman, which had been for some time very strange. The cause of his immediate application, Mr. Bulmer stated, to be frequent threats to destroy herself, and that she was then provided with the means of effecting it. Dr. B. observed to Mr. W. Bulmer, that he could not receive any person, without a Certificate from a medical man, who had seen the patient. The Surgeon and Apothecary, who attended the family, was then sent for. Mr. Bulmer related again, in his presence, the circumstances which had occasioned this great alarm, and urged the necessity of Miss Horsman's being speedily removed from home, and requested he would go and visit her. The medical attendant accordingly went to Poppleton, and after having seen Miss Horsman, and obtained from her a razor, gave positive directions to watch her with the closest attention, and stated he would not be answerable for consequences, however short a time

she was left alone, &c. &c.: but declined giving a Certificate. I had heard nothing of these circumstances till the next afternoon, viz. Thursday, May 7th, when accidentally meeting the Rev. Mr. Bulmer in the street, he repeated to me what he had communicated to Dr. Belcombe, the day before. I replied; we could have nothing to do with Miss Horsman, or any Patient, without a Certificate from a Medical gentleman, who had seen the person. He then mentioned Mr. Matterson's visit to Miss Horsman, and the strong terms in which he directed her to be closely watched, &c. but with surprise stated, that Mr. Matterson declined giving a Certificate. I met Mr. Bulmer and Mr. Matterson soon afterwards together, and hearing the statements which Mr. Bulmer had before mentioned confirmed by them both, I observed, "there seems to be a pretty strong case of insanity made out; but Mr. Matterson may not understand the matter." Upon which all further discussion on my part was prevented by an unexpected and unprovoked insult from Mr. Matterson. Two days after this, I was not a little surprised to find Miss Horsman in Clifton House, and a *Certificate*, as before copied, signed "W.M. MATTERSON."

THE following STATEMENT was written immediately after the forcible abduction of Miss Horsman from Clifton House, when it was broken open by Mr. Dickens and Mr. J. Gray, on Sunday, May 31st, 1818; and in the month of December, was read to Miss Horsman, who, accompanied by Mr. Alderman Spencer, met me at Clifton, for the express purpose of ascertaining the truth of the circumstances detailed in it. I have his authority to state, that he has lately perused the paper

containing them, and that it is identically the same as was presented to Miss H.; and that she, in his presence, authenticated every word of it, so far as she is referred to, with the exception of two sentences, which will be noted in their proper place.

"My first interview with Miss Horsman was on Saturday, the 9th of May. It was short; as she was much disturbed, and indulged in invectives against some of her Relations; she, however, expressed some satisfaction at being placed under the care of an old friend, in whom she could confide. Some medicine was ordered for her, and directions given to the Matron to treat her with every indulgence, consistent with the caution necessary to prevent her from committing any act of violence upon herself.

"ON Wednesday, the 13th, I found her more calm, and allowed her fully to express her feelings. I hinted to her the contents of the Certificate under which she was placed in Clifton House, and the alarm occasioned to her Mother, by whose authority she had been taken from home; but declined dwelling upon these circumstances, as of a nature too unpleasant to discuss. At my next interview with her, I thus addressed her:—
 "Miss Horsman, as you are here under some imputation, that your mind has suffered a little from some cause or other, our duty is plain,—it is to ascertain whether there exist any signs of disease or not; you will allow us a little time to make up our minds. On our mature conviction that you are quite well, you shall not leave this place under the imputation of mental incapacity; we will give you a Certificate of Sanity.
 "You will not think the period of one month, from the

'time of your entrance here, too long to enable us to do this with propriety?' She readily consented. I added further, 'Now you and I will be upon honour;*— if you will conform, for this short period, to the Rules of the House, you shall be treated with every attention and indulgence possible.' She replied,—'She should have no difficulty in making that promise, for her treatment had so far been of the mildest and most friendly kind.' The Matron was then desired to take her as her companion into her sitting-room, as often as her avocations would allow; and to remove every appearance of restraint.

"I have no date of my next visit; but having, in the mean time, heard, by accident, that Mrs. Faber was expressing great irritation on Miss Horsman's account, I asked Miss H. if Mrs. F. was not her intimate acquaintance? She replied,—'I know Mrs. Faber, and sometimes visit her as a neighbour; but I have no intimacy with her.'† I proposed to Miss Horsman to write to her, and offered to have her letter conveyed. She replied, —'She had no wish to write to Mrs. Faber.' At this visit I renewed the subject of her removal to Clifton: the purport of what passed is as follows:—'Now Miss H. we are upon honour to the end of the month. If you continue in the same calm state of mind in which I now find you, we shall perform a very pleasant duty in giving you a Certificate: This is our *duty*; but I should wish to do something more out of regard to yourself and your mother, and the family with which you are connected.

* These colloquial expressions are allowed to remain, as I have not thought it right to alter one word of this authenticated Statement.

† "But I have no *Intimacy* with her." This was one of the expressions which Miss Horsman said, she did not recollect to have used.

" If there has been any cause of irritation or discontent; " if any misconduct, on either part, that has occasioned " this disturbance of mind, I shall be most happy if I may " be instrumental in removing it, and preventing in future, " a recurrence of similar unpleasant circumstances. I " propose to you, therefore, to allow me to speak to some " of your connexions, and offer, on your part, an interview " with them before you leave this place. I will attend, if " you please, as your friend, and propose terms for a future " good understanding between you.' She replied,—' The proposal was most kind, and had her cordial approbation:' and indeed her countenance expressed more than her tongue. I accordingly waited upon Mr. W. Bulmer, who readily acceded to the proposal. This was a fortnight or ten days at least before the forcible taking away of Miss Horsman from Clifton.

" It is unnecessary to detail every word that passed after this. I shall endeavour to condense, as much as possible, what I have further to offer, till we come to the period of the breaking open the house. She expressed, afterwards, at other interviews, a wish that Mr. James Bulmer should be of the party, and I suggested, whether it might not be agreeable to her, to have some female friend present, and mentioned Mrs. Faber. She proposed another lady, upon whom I called on Thursday the 28th, and succeeded in seeing, after twice calling, on Friday the 29th. I delivered Miss Horsman's request: The lady hesitating, I entreated her to permit me to decline taking her answer then; and added, as Wednesday (3d June) or Thursday was the day fixed upon, for Miss Horsman's leaving Clifton, there would be time for me to call again for her de-

termination.--On Saturday, the 30th, about four o'clock, passing along the street, I saw Mr. Bulmer, the elder,* standing at his Warehouse door, in Petergate. I took this casual opportunity of asking him, 'if he intended to be present at the proposed interview, between Miss H. and some of the members of his family; of which I had no doubt he had been informed.' He answered, he had, and made some inquiries about Miss H.'s temper, &c. I replied,—' We have nothing to do 'with people's tempers. On Wednesday, Miss H. leaves 'Clifton at all events, and it is our duty to give her a 'Certificate; and if I can be instrumental in bringing 'about a good understanding between all parties, that 'she may go away with you in mutual friendship and 'confidence, I shall be glad.' Mr. B. assented, and we parted. I had not proceeded fifty yards before I met Mr. Dickens, who furiously demanded of me the instantaneous liberation of Miss Horsman; adding, he had visited her, in conjunction with Dr. Wake, who had given a Certificate of Sanity;† and if I did not instantly set her at liberty, he would break the doors open and take her away by force. I replied,—' You know the Act does 'not give you the power to do so.' He answered,—' I 'know it does not, as Visiting Magistrate; but my 'office of *Magistrate* ‡ does.' I replied,—' We are

* This was the first opportunity I had of speaking to Mr. Bulmer, sen. on the subject; and was actually the first time I ever had any conversation with him relating to Miss Horsman; or had even heard him mention her name for many years.

† I have since been informed by Dr. Wake, that he did not give any Certificate, but only expressed, in Conversation, that he thought her well at that time.

‡ This was the word used by Mr. Dickens.

‘protected by the Act and the Certificate; but I request you calmly to hear me.’

“MR. Dickens’s violence would scarcely permit me to say, ‘There is no need for your interference; which will probably make a breach never to be healed, as arrangements are made that Miss H. shall peaceably and amicably leave Clifton, in the company of her relatives on Wednesday.’ He reiterated his former threats, which I replied, I conceived to be illegal and unbecoming;—that his violence astonished me, as he was our legal adviser upon all occasions, and was the very man we should wish to consult in such a dilemma.

THIS produced a momentary calm, during which I prevailed upon him to accompany me to Mr. Bulmer, who, I said, by a perfect accident, could verify my intentions with regard to Miss H.’s release, if he disputed, as he seemed to do, my word. We found Mr. Bulmer standing where I left him, and I requested Mr. B. to state to Mr. Dickens the substance of the conversation that had passed between us within the last five minutes. After Mr. B.’s surprise had a little subsided, he told Mr. D. the purport of our conversation, and I repeated it after him in the most explicit terms. It may naturally be supposed, that a man, possessed of the common sympathies of human nature, must now have paused at least; if his anger were not quite subdued: but Mr. D. now changed both the object and the mode of his attack; and, in violent terms, demanded of Mr. Bulmer by what authority he took upon him to dispose of the person of Miss H.—He was answered,—‘By the authority of her natural guardian—

'her Mother ; upon whom she was dependant for support.' He then, turning to me, repeated his threats of taking the *Posse Comitatus*, and breaking into the house, and taking Miss H. away by force. I replied,—' As Visiting Magistrate the doors are open to you at all times—but as you have declared you will go for the specific purpose of taking away a person, committed to the care of Dr. B. and myself by her natural guardian ; and who is now staying at Clifton, till Wednesday, by her own consent, I will trust to the laws for protection.'—I then discharged him from the premises, and told him I should order the doors to be fastened against him till he retracted his Threat.

"I seized an opportunity, however, to make a last offer of pacification, which was, that Mr. Dickens should return with me to Clifton ; and that if after five minutes conversation between Miss Horsman and myself, *in his presence*, she expressed the smallest wish to go with him, I would immediately order the doors to be thrown open. But knowing that Miss H. was completely satisfied with the arrangements already made, I expressed a confidence that she would refuse to go with him. He replied,—' Was he to be my lacquey ?' or with words to that effect ; and repeated his threats ; to which I repeated my determination to withstand an act that I considered unreasonable and illegal ; and to visit it, if committed, with every punishment that the law would inflict. The offer just-mentioned was shortly after repeated, in a message which I sent to him by Mr. Francis Bulmer, jun. ; but was again refused.

How far I was justified in my confidence in Miss Horsman, the sequel will shew.

"On repairing to Clifton, I had some conversation, in the presence of the Matron, with Miss H. on the subject of the unexpected intrusion of the Visiting Magistrate and Physician, and asked if she had mentioned to them the arrangements I had made respecting the intended meeting of her friends, &c. She said, she believed she had referred to them, but was so fluttered she had not power to relate them fully. I replied, 'Have you done me justice?' * She answered,—'No, indeed I have not. 'What can I do to repair any injury I have done to you, 'who have been so kind to me.'—After some further conversation I said,—'I am still upon honour with you; 'and you shall have a Certificate. You know you have 'been staying here, with your own consent, till next 'Wednesday.' She replied,—'She would be guided by 'my advice, and mine only.'

"I then suggested to Miss Horsman that the most likely way to prevent further disagreeable proceedings, would be for her to write to Mr. Dickens, saying, that she was under my protection, by her own consent. She requested me to write to that purport, and she would sign it; observing, that her hand shook so much she could scarcely hold a pen. I objected to this; but, at her desire, wrote a few words, which I put into her hands, in the presence of the housekeeper, and requested her to consider them well; and if she approved of them,

* This was the other expression which Miss Horsman said, she did not recollect.

on due deliberation, to copy them. I then walked into the garden, and, with the housekeeper, visited the other Patients, and left her alone. On my return, I found written :—

“ Sir,

“ I decline your interference: I have voluntarily placed myself under Mr. Mather’s protection.

“ JANE HORSMAN.”

“ *To J. H. Dickens, Esq.*”

“ SHE was again asked if that Note expressed her deliberate wish; to which she cheerfully replied in the affirmative.

“ I desire, particularly, to call the attention of the Public to what follows. After this Note was delivered by her into my hands, I ordered the housekeeper, in Miss Horsman’s presence, to open the doors to her whenever she desired it, and to let her go out and come in, or walk in the fields, either with or without an attendant, whenever she pleased.

“ I then said,—‘ We are upon honour till Wednesday ‘ Miss H.’—‘ Honour! Sir;’ said she, and offered me her hand,—‘ If I had not the greatest confidence in you, ‘ and thought you had in me, would I have written that ‘ Note?’ ‘ One thing,’ she added, ‘ I wish to submit to ‘ you:—After what has passed, I had rather decline ‘ the proposed interview with the Bulmers, and would be ‘ obliged to you if you will come on Wednesday, and ‘ take me away yourself.’ I assured her that, as she had again placed herself under my protection, on Wed-

nesday I would present myself at Clifton in a chaise, and take her wherever she chose to go; and that if, as circumstances now stood, she wished to decline the interview which had been mutually agreed on, I would not urge it. The note written by Miss Horsman, was delivered into Mr. Dickens's hands by a servant of the house, who told him he had orders to keep a copy. After this I saw no more of Mr. Dickens, and what follows is from the evidence of eye-witnesses—the Matron and Servant of the house.

*MATRON'S DEPOSITION.**

"ON Sunday, May 31, 1818, about two o'clock, Mr. J. Gray applied for admission at the House at Clifton, and was readily admitted. He said,---'Mrs. Micklethwaite wishes to see Miss Horsman.' The Matron inquired if she had an order from Dr. Belcombe or me? On being answered in the negative, she replied, ---her general instructions were to suffer no inmate of the Establishment to be visited without an order." (This Rule of the House, I have no doubt, the person, making this demand, was well acquainted with; as he was our Solicitor in every matter regarding the Establishment.) "The Servants of the House, as yet, suspected no violence, till Mr. Dickens made his appearance. He demanded admittance, and was refused. He then desired to see Miss Horsman, to en-

* This is an extract from the Evidence given by the Matron, when an Action against Mr. Dickens was in contemplation; with some Remarks of my own.

"quire if the Note he had received was her writing, as, "for any thing he knew, it might be a forgery : and added, 'If you will permit me to see her, it will prevent further disturbance.' Miss Horsman accordingly was requested, by the Matron, to attend at the window. Mr. Dickens, holding up the Note, inquired if that was her hand-writing? She replied,— 'It was ; and that she had written it voluntarily, having placed herself under Mr. Mather's protection till Wednesday, when he had pledged himself to convey her wherever she pleased to go : and it was her determination to stay where she was till that time. She was answered,—' Wednesday will never come : now or never !—if you don't go now, the Bulmers will keep you here for life ;' with many other similar expressions."—That reiterated persuasions of this nature should shake the confidence of Miss Horsman may readily be supposed. Mr. Dickens then, with the aid of his assistants, and instruments from a Blacksmith's shop, proceeded to break open the door.

INCONTRROVERTIBLE evidence of the following most extraordinary conversation, after Mr. Dickens had gained admittance to Miss Horsman, is in readiness; in which Mr. D. perhaps supposed he could secretly indulge in his angry abuse, having compelled the Housekeeper to leave the bed-room. "*Mr. D.*—' You must go with us.' *Miss H.*—' I had rather stay, to go with Mr. Mather ; he has behaved to me like a gentleman and a friend, and I can confide in him.' *Mr. D.*,—' He your friend ! He has publicly reported you as a maniac, and a drunkard.' *Miss H.*—' No, Sir—not Mr. Mather ; it is the Bulmers that have done that.'

"Mr. D.—' It is your friend : he is a villain.—He has
 "publicly reported you as a maniac and a drunkard
 "since I received your note.' "

THE Matron, who had placed herself at the door of Miss H's bed-room, burst into the room on hearing this unfounded accusation, and confronted Mr. Dickens, who on her alleging that he had not seen me since he received the Note, then endeavoured to qualify this assertion by another equally untrue, viz.: that "I had then said so to him when talking with the Bulmers." I am glad Dickens was obliged to shift his ground to the scite of Mr. Bulmer's warehouse. Two persons* heard our conversation there, and have both since declared, and are now ready to declare, that nothing like these expressions were used by me.—“During this altercation between Mr. Dickens and the Matron, he took Miss Horsman's hand, saying, ‘ You had better go with me ;’ and walked off with the fair damsel in triumph, exclaiming to the mob, ‘ I call you all to witness this scandalous transaction ; I will have the Licence taken from the House.’ ”

THE Matron avers, that after Mr. Dickens had taken Miss Horsman's hand, she even then said, “O dear, I had rather not go. I had rather stop till Wednesday. I have not got my clothes ready.” Dickens replied,—“D——n your clothes; we will soon make them follow you. Come along ! Come along !”

* Mr. Bulmer, and his son Francis.

*ROBERT HORTON'S DEPOSITION.**

"ON the 31st of May, about two o'clock, two Ladies with Mr. Jonathan Gray, came in a Post Chaise. On my going to the door, Mr. Gray desired to speak to the Matron. When she came, Mr. Gray said to her,—‘Here are two Ladies at the door, who wish to be introduced to Miss Horsman.’ Mrs. Clarkson replied,—‘Have you any authority to do so from Dr. Belcombe?’ Mr. Gray replied,—‘No.’ Mrs. Clarkson answered,—‘I suffer no one to see the Patients, without a note of admission from Dr. Belcombe or Mr. Mather.’ Mr. Gray then left the House; but returned, in a few minutes after, with Mr. Dickens and Mr. Newstead.† Mr. Dickens demanded admittance, and said,—‘If the door be not immediately opened, here is a Constable who shall force it.’ My answer was, ‘We have orders from Dr. Belcombe and Mr. Mather to keep the doors fast.’ I then left them; and in a few minutes after, Mr. Dickens rang the bell, and said,—‘If the Matron will allow me to speak to Miss Horsman, it will, perhaps, put a stop to any further unpleasantness; I only wish to ask her this one question, Whether this Note is her's, as I am unacquainted with her hand-writing.’ I then went to Mrs. Clarkson with Mr. Dickens's request; who brought Miss Horsman to speak to him out of the window. Mr. Dickens held up the Note to

* This was put down in writing by him immediately after Miss Horsman was taken away.

† The Visiting Physician was not present.

"her, and said,—'Is this Note in your hand-writing?'
 "to which she replied, 'It is.' Mr. Dickens said,
 "'We are come here to release you: you are in sound
 mind; you are wrongfully and unjustly detained
 here; will you go with us?' Miss Horsman's reply
 was,—'Mr. Mather has behaved like a gentleman to
 me; and we have agreed that I shall go away on Wed-
 nesday.' Mr. Dickens said,—'Miss Horsman, you
 must go with us now; or you must remain.' Miss
 Horsman replied,—'I had rather stay till next Wed-
 nesday.' The Ladies in the Chaise said,—'Next
 Wednesday will never come; you must either go
 with us now, or the Bulmers will keep you in
 for life: do go with us, and we will take you
 under our protection.' Mr. Dickens then ordered
 the door to be broken open. On his being shewn
 into a room where Miss Horsman was, he ordered
 Mrs. Clarkson to leave the room, which she did. We
 placed ourselves near the doors of the apartment,
 where we both clearly and distinctly heard their con-
 versation, which was as follows:—

"'Miss Horsman, Mrs., Miss — and Mrs. —
 wish to take you under their protection, and will
 swear that they never saw you drunk or insane
 for the last two years.' Miss Horsman replied,—
 "'Mr. Mather has always been a friend to me:
 if you please, I would rather stay till Wednesday.'
 Mr. Dickens said,—'A friend, indeed: he is not
 your friend, but your enemy. He has publicly
 reported you to be a drunkard and a maniac.' Miss
 Horsman said,—'No, Sir; not Mr. Mather; but
 the Bulmers.' Mr. Dickens said,—'No, it is your

" pretended friend : he is a _____: * he told me
 " yesterday, after I received your Note, that you was
 " a drunkard and a maniac. You are in sound mind,
 " and most unjustly detained here : take hold of my
 " arm and go with me.' Mr. Dickens said, in the
 " public street, and in the hearing of a multitude of
 " people,—‘ I shall report this scandalous business,
 " and endeavour to get the licence taken away from
 " the House.’ ”

THIS may seem the proper place to introduce some further details, which will prove, that the Proprietors of the Clifton Establishment did not decline to afford every assistance in their power, to bring about an amicable adjustment of differences, between Miss Horsman and her mother and relatives, even some months after she was taken by violence from under their care.—Mr. Alderman Spencer having mentioned to me some circumstances of an unpleasant nature, relating to Miss Horsman’s situation at that time ; I undertook to apply to Messrs. Bulmer on her behalf, and observed that I considered Miss Horsman as the *innocent cause* of our injuries, and not at all to blame for the outrageous proceedings of the parties concerned in forcibly entering Clifton House ; and that I would most readily undertake again the office of Mediator, between her and her friends, and be glad to have a previous interview with Miss H. that I might be informed from her what were her wishes. I have by me a Copy of

* Horton, upon being minutely questioned, says that he here heard Mr. Dickens utter a word that he could not distinctly make out ; but which, upon comparing his account of the transaction with that of the Matron’s, a few minutes after, he understood to be “villain.”

a Letter which I wrote to Mr. Spencer on this occasion, and which I here insert :—

“ DEAR SPENCER,

“ According to my promise, I communicated to Mr. Bulmer and his son William, the purport of our late conversation with Miss Horsman. “ I stated, also, her desire to live again with her Mother; “ and that although Poppleton was the place of her choice, “ I believed she would consent to remove to any other “ place of residence they might prefer.

“ I found the sense of injury as strong on their part “ as on that of Miss Horsman; and expressed in terms “ similar to those SHE had used when speaking of THEM. “ All the concession I could obtain, was a consent to have “ an interview with you, at any time you choose to appoint, for the discussion of this unpleasant subject.

“ Here I cannot but lament, that the object, which, “ by my arrangements, would speedily and amicably have “ been attained, has been defeated by the intemperate and “ indiscreet interference of others. In justice, however, to “ the parties, who you say are seeking for legal redress on “ the part of Miss Horsman, I think it right to state, that “ the prospect of an amicable adjustment is so clouded, “ that I cannot take upon me to urge a suspension of “ their proceedings.

“ I remain,

“ Your’s truly,

“ A. MATHER.”

“ BRINKWORTH, Dec. 1818.”

THE meeting accordingly took place at Baines’ Coffee House, on Jan. 13, 1819. The parties were, Mr. Spencer, Mr. W. Bulmer, Dr. Belcombe, and myself. It was proposed that a guinea per week should be allowed to Miss Horsman. This, after Mr. Wm. Bul-

Bulmer had consulted his father, was agreed to, on condition that Miss Horsman should not come within eight or ten miles of her mother. I suggested that security should be given to Miss Horsman for the regular fulfilment of this contract, which was also agreed to. The parties separated, all apparently satisfied with this arrangement; and Mr. Spencer undertook to communicate to Miss Horsman the result of our Meeting. What afterwards passed between Mr. Spencer, and Miss Horsman, and Mr. Wm. Bulmer, I cannot speak to, from my own knowledge; nor does it come within my province, at present: but I heard that the negotiations were broken off from some misunderstanding on both sides.

SOME reflections naturally offer themselves on the extraordinary proceeding adopted by Mr. Dickens and Mr. J. Gray. It was scarcely ever before known that a house, appropriated to the reception of the Insane, and licensed under an Act of Parliament, was so invaded. It has often been known that persons, supposed to have been unjustly detained in such houses, have been removed to the Court of King's Bench, by a writ of *Habeas Corpus*. That this would have been the legal, proper, quiet way of emancipating the incarcerated lady cannot be doubted. But unfortunately for Knights Errant in the cause of humanity and the fair sex, there was no time for this. The enchanted lady was to be freed from the iron grasp of the giants, by their own act, in three days. A display, however, of Magisterial prowess, impartial justice, and intuitive discernment of the nice distinction between *insanity* and a disease "bordering on *insanity*" must be made; and of all "good days" Sunday was chosen for the grand exploit; and the hour too,

at which Christian people were assembling for the worship of God.

BEFORE such violent measures were adopted, most rational persons will suppose, that some application should have been made to Dr. Belcombe or myself, for permission to visit Miss Horsman. But who applied? Did Mrs. Faber, Mrs. Micklethwaite, or any of those interested about her? Did Mr. Jonathan Gray intimate any wish to see her, when in conversation with Dr. Belcombe? Did he, in three or four interviews I had with him after the *conversation* (which he states, as having occurred, in consequence of a question put with seeming carelessness,*) ever mention the subject to me, or say, "*I should wish to see this Miss Horsman; I should be glad to go with you to Clifton; for I am desired to emancipate her, if she is improperly detained; and, as you told me she was to be set at liberty in a few days, I wish to know all the circumstances before I interfere?*" Nothing of the sort.

BUT an application was made by Mr. J. Gray, as an agent of a person—in no way related to or connected with Miss Horsman, to Dr. Belcombe, to set her instantly at liberty; without inquiring, as common candour, or good breeding required, what was his opinion as to Miss Horsman's state of mind when committed to his care. Was it to be supposed that Dr. Belcombe, on such an application, could forget his own respectability, and be so pusillanimous as to say, "O yes! Sir, since you desire it, I will set her at liberty directly. 'Tis true "I received a Certificate, and I took her into the

* If it had not been so, I certainly must have had some recollection of it.

"House, as a person '*disturbed in mind,*' &c. and I found
 "her so ; but I will concede that I have done wrong,
 "when an Attorney calls me to an account?"

DID Mr. Dickens, when applied to by Mr. Jonathan Gray, send for Dr. Belcombe or for me, and say, "there is a charge against you! What have you to say in your defence? What proof have you to offer, that the person confined was in a state of mental disease when you received her; and what reason have you for detaining her?" This, by most people, would have been thought the civil, the proper, the legal way. Mr. Dickens might then, having heard what we had to offer, have replied,—“I will now take the Visiting Physician, and see the person without you ; keeping in view your report of the state of her mind when she came; and after having examined her separately, I will request your attendance, and examine her in your presence.” Would this conduct have derogated in the least from Mr. Dickens's importance or impartiality? But he chuses to go and examine a person that had been three weeks under treatment, and decide, what had been most chearfully declared before by the accused persons, that she was then well: and instead of consulting his own dignity and sending for us calmly, he, in the street, issues an angry command, that she should be instantly liberated, although informed that she was staying by her own consent, and was to be removed on the following Wednesday.

BUT the visit was made : Mr. J. Gray was admitted into the house to make the application for persons to see Miss Horsman, whose names the Matron had never

heard before;—and the house broken open,—when none but servants were present; and the principals were perfectly ignorant of these transactions.*

Of the *legality* of these proceedings, there is a difference of opinion.—One party, Mr. Dickens and Mr. J. Gray, say they were lawful;—the other party, *i. e.* every other person, thinks they were not.—Of the *propriety* of them, I must do Mr. J. Gray the justice to say, he entertains great doubts; and that long before the Trial, he had made every concession that could be demanded by private friendship; but not one step had he or Mr. Dickens stirred, to remove from the Establishment, and its Proprietors, the odium thus publicly cast upon them; nor do they seem to have sought for information respecting those vile and false reports upon which they have since attempted to rest their justification. I shall not here say more upon this subject. Some extracts from letters, that passed between Mr. Jonathan Gray and myself, will illustrate what has been said, and supply what is wanting. I shall insert the whole of Mr. J. Gray's first Letter, as it seems evidently written in a spirit of conciliation, and is, as I suppose, the very same vindication of his conduct which he would chuse to offer to the public; and because it contains strong expressions of that friendship which was as highly valued on my part as on his.

* Dr. Belcombe was indeed informed by Mr. J. Gray, “what was Mr. Dickens's determination;” but it was considered by him as illegal, and unlikely to be put in execution; as Mr. J. Gray had before pledged himself to obtain Mr. Nicoll's opinion.

To A. Mather, Esq.

"MY DEAR SIR,

"The unpleasant transaction that has taken place at Clifton, has, I can assure you, given me considerable uneasiness on your account; and I take the first moment of stating to you what share I have had in it.

"Mr. John Bulmer had called on me, to give me an account of Miss Horsman's imprisonment, ten days ago; and I had, in consequence, asked you a question on the subject; but I had then no idea that I was to have any thing to do in the affair. On Monday last, I was sent for by Mrs. Faber, as I supposed, on some affairs relative to the house which she rents under Mrs. Dodsworth; but it proved to be relative to Miss Horsman. I found Mrs. Faber an extremely sensible and rational woman; and she related a story of great oppression and ill usage on the part of the Bulmers. Still I felt some hesitation in having any concern. I desired Alderman Spencer to be sent for, knowing him to be a friend of Dr. Belcombe's and yourself.—He expressed a strong sense of the impropriety of the proceedings against Miss Horsman; and declared, that if she had been in *his* district, she should not have remained a single night in the Madhouse. I then undertook to endeavour to procure Miss Horsman's liberation: At the same time, I told Mrs. Faber that I knew it was not intended to detain her above ten days;—but, as it appeared she had already been disappointed in some assurances from the Bulmers, she was not satisfied with this; but was determined to employ either me or some one else. On the next morning, Tuesday, I called on Dr. Belcombe, and told him exactly what had passed, and mentioned Alderman Spencer's opinion. He said the Magistrates had nothing to do in it: I told him I should take an opinion* before I did any thing; and he observed that this would be best—and that whilst I was doing this, (which would satisfy Mrs. Faber for the present) he would have an opportunity to arrange plans for sending away Miss Horsman. I accordingly stated a case for Mr. Nicoll. On

* Was there not time to have had Mr. Nicoll's opinion before Saturday? . . .

Thursday and Friday, Mrs. Faber began to be very pressing; and Mr. Edwin Smith, of Leeds, called twice, as a friend of Mrs. Faber's, to know if I would proceed or not; and Mrs. Faber intimated to me, that if I would not go on, the business must go into his hands. I conceived this would only precipitate measures contrary to what I wished. At length, on Saturday, about two o'clock, I mentioned the matter to Dickens, which Mr. Nicoll, in conversation, had suggested might be adviseable—he had still not given his opinion. In mentioning it to Mr. Dickens, could I possibly conceive or suppose, knowing the particular intimacy between him and Dr. Belcombe; and that he was even surety for the house—that he would have acted as he did? If you reply in the affirmative, then I admit that I am greatly to blame; but I assure you, that I was still endeavouring (without compromising Mrs. Faber's object) to effect it with as little unpleasantness as possible to Dr. Belcombe and to you.

"WHEN I found Mr. Dickens's determination to be what it was, I immediately went to Belcombe, and acquainted him. This was on Saturday, at five. I told Dr. Belcombe distinctly that Mr. Dickens would have her away by force; and he said, he should go immediately to Sinclair, to consult him. Mr. Dickens then appointed Mrs. Micklethwaite to apply at the house at Clifton, for leave to see Miss Horsman. This was done, and refused; and what followed you are doubtless acquainted with. Mr. Nicoll's opinion I only received to-day; and it was my intention to have shewn it to Dr. Belcombe. Now, I can assure you, my dear Sir, that I do not enter into this explanation from any apprehension of the *legal* consequences to result; or any wish to prevent you and Dr. Belcombe from proceeding against either myself, or such of the parties as you may think fit; nor do I call on you to acquit my conduct in the transaction of such blame as may seem to you to attach to it, being myself doubtful whether I had not better have kept out of the affair or not: but all that I am anxious is, that you should not consider this unfortunate occurrence, after your cool deliberation, of such a nature, as for ever to break a friendship which remains on my part, and will

ever do so, wholly undiminished.—Should this be the result, I shall never cease to regret it to the last moment of my life."

"Your affectionate friend,

"JONA. GRAY."

"*York, June 1, 1818.*"

To Jonathan Gray, Esq.

"*Brinkworth, Jan. 8th, 1819.*

"FROM circumstances, which I doubt not, you full-well comprehend, we have been reluctantly induced to relinquish our determination to seek for legal redress, for the injury sustained by Dr. Belcombe and myself, by the late outrageous and unlawful transaction in which you were a party; and I am now released from the injunction laid upon me, not to communicate with you on this subject. Against you, indeed, our proceedings were never directed; but we have to lament that the customs of our Courts of Justice can shield from condign punishment, the principal actor in this scene. The following Letter was written immediately after the receipt of yours, and though it may appear unseasonable, after such a lapse of time, yet, as the sentiments it contains remain in my mind unaltered, I think it right now to communicate it.

(Copy)

"*Brinkworth, June 1, 1818.*

"SIR,

"To the assurances of friendship, my heart has been at all times most gratefully attentive; and, until this period, I never doubted the sincerity of yours.

"THAT you should be induced to take a part in the transaction to which your last Letter refers, appears equally inconsistent and astonishing. The last word but imperfectly expresses my feelings on this occasion; but I forbear to descant here on this effect of your conduct, or to offer a conjecture on the motives that could influence you to act the part of my bitterest enemy. I cannot, however, repress the risings of indignation against one, who received me as his friend into his house—as his friend and client into his office, five or six times during the last week—and who, without giving me

the least hint to be upon my guard, was, during that time, preparing a mine to blow up my reputation, destroy my property, and blast my only remaining source of professional usefulness and emolument.

"With feelings equally indignant, I repel the insinuation against our conduct and our Establishment, with which your Letter opens. The term *imprisonment*, is any thing but conciliatory; and seems intended to veil, under the pretence of justice, actions of which, I sincerely believe, you are now ashamed; or to add insult to injury.—I have no recollection of your having "asked me *any question* relative to Miss Horsman;" and I hope, if such was asked, it may not prove to have been insidiously put.

"I do not now enter into a vindication of our treatment of Miss Horsman, or here justify her detention at first, and afterwards her voluntary abiding at Clifton, till upon due conviction of her Sanity, a Certificate could with propriety be granted to her; nor do I detail the measures, proposed, arranged and matured by myself, during the fortnight previous to this Outrage, which led to the result, that Miss Horsman and her Relatives, had mutually agreed to have an Interview, on Wednesday, the 3rd of June, in my presence, and on that day, (within a month from the time of her having been brought to Clifton,) she was to be restored to her Mother, with the prospect of the most amicable and satisfactory arrangements. Of these things it is right that the Public should be informed. In the latter part of your Letter, there is an appearance of ingenuousness, which revived, in some measure, my former sentiments towards you. You certainly authorize the inference that if this unjust attack upon our character and property was again to be perpetrated, you would take no share in it; and you refer to the probability of our seeking for redress. To make you the object of my resentment would be revolting to the habitual feelings of my own heart. But if you are conscious that you have been instrumental in inflicting a bitter wound upon our reputation, and the prosperity of our Establishment;—is it not a Christian duty, as well as a necessary proof of the sincerity of your professions, to do all you can to repair the injury? I am persuaded that an interview between Miss Horsman and myself in your presence, would make you lament over the review of this transaction, in which you have been too prominent

an actor. Here I leave the matter for the present, consoled by the consciousness of my own rectitude, and truly wishing that in my next Letter, I may, without reserve, subscribe myself,

“ Your sincere Friend,

“ ALEXANDER MATHER.”

“ THE preceding is the purport of my Answer, hastily drawn up. Since it was written, many circumstances have come to my knowledge, with which I was then unaquainted; and some of them, as they appear to me, at variance with your statements and professions.* Writing of Mr. Dickens, you say ‘ Could I possibly conceive, or suppose &c. &c. ‘ that he would have acted as he did. If you reply in the affirmative, ‘ then I admit that I am greatly to blame.’ How can you plead ignorance of Dickens’s intention, when you went with him as his *assistant*; and, as his *precursor*, gained admittance into the House, that you might afford him the plea of your having formally demanded to see Miss Horsman, and thus give him the shadow of a legal pretext for his intemperate proceedings.

“ You cannot even offer the extenuation of having been taken by surprize, for you assert you ‘ told Dr. Belcombe, on Saturday, what ‘ Mr. Diekens’s determination was.’ Again you write ‘ Mrs Mick- ‘ lethwaite was appointed to apply at the House to see Miss Horsman. ‘ This was done, and was refused.’ Mrs Micklethwaite did *not* apply. Mr. Jonathan Gray did apply and was readily admitted into the House by the Matron, who considered him as a friend,† and was not at all aware what character he was supporting, till he said ‘ Mrs Micklethwaite wishes to see Miss Horsman.’ After having paved the way with this pretence, you stood with Dickens’s party, not to remonstrate against, or repress his violent and unjust conduct, although the Matron called upon you by name: but affording, by your presence, to all that witnessed the deed, the fullest conviction

* When I wrote the former part of this Letter I did not know the active part Mr. J. Gray had taken, nor heard one word of Miss Horsman having been strapped down in bed, or of the affair of the poker.

† Dickens, in his Evidence, says,—“ I directed Mrs. Micklethwaite “ to go to the House of Mr. Gray, previously to our coming to break “ open the House.”

that it had your approbation and assistance. And, after the door was forced, Mrs Clarkson avers, that she saw you go up to the chaise in which the women were seated, and heard you say—"Ladies you could not have done without me."

"ON these inconsistencies, I make no comment. But there are other facts that seem to indicate a degree of rancour, and I am sorry to say, too little regard for accuracy. I know the failings of the human heart; and can conceive that, from the desire to vindicate yourself, and in the hurry of discussion, you might unwittingly calumniate our Establishment, and misrepresent our conduct. I allude to the assertion that 'Miss Horsman was strapp'd down in bed nine nights,' and the still more gross calumny, that 'I threatened to break Matterson's head with a poker, unless he would consent to sign a Certificate of Miss Horsman's insanity.'—These charges you have repeated, and urged with a degree of earnestness, even after you were informed of their falsehood, that renders it difficult to admit the extenuating interpretation. The last charge, particularly, I am informed, you have laid great stress upon, for your own vindication, and that of those concerned with you. That this misrepresentation of the treatment of Miss Horsman, and of *my conduct* in particular, was in existence, I was perfectly ignorant, till the Saturday after your exploits at Clifton; and was informed of it but a short time before I met you in the evening of that day in the News Room. The surprise and indignation it excited, were fully equal to what was occasioned by the unexpected explosion of Dickens on the Saturday before. I dare not trust myself in pursuing this subject: I cannot, however, but express my regret at beholding you taking refuge under this miserable defence.

"Many other observations press themselves upon my attention, which, as it is not my wish to contend *ad Internacionem*, I shall not offer, unless induced by future considerations. I will only just notice, that as far as regards the insult offered to my feelings, I consider your Letter as the *amende honorable*; and, I understand, you have at last made a similar apology to Dr. Belcombe. But what steps have you taken to repair the injury—to remove the obloquy which must remain upon our reputation and establishment? What concern have you expressed for our diminished revenues; or the con-

sequences to our servants and our property, arising from the popular odium you have excited against them? What reparation have you offered to British subjects—members of society as respectable as yourself and Dickens—for classing them with felons; and instead of giving them a hearing, or a trial in a Court of Justice, a proceeding which would have been legal and honourable—inflicting, by an act of summary and arbitrary vengeance, which would have disgraced the most despotic Tyranny, a bitter wound upon their Constitutional and Civil Rights, and aiming a deadly blow at their social and professional existence? Nor has Dickens stirred one step in this path, or even offered to me the least apology for his violent behaviour, or the abusive epithets in which he indulged, while in the house at Clifton. I will not now descant upon the conduct of those holding out high professions of friendship and of a sense of duty,* yet sheltering themselves under the plea of error or misconception, or taking the advantage of an oversight in a Certificate. Suffice it to say, that had he and you (for the whole world connects you in this affair, however you may dislike his company) been our known enemies, rather than our reputed friends, we should have suffered less in the public estimation; for the conclusion now inferred, is,—*These men could not have transgressed the limits of civilized life, and burst through the bonds of intimate friendship, if the conduct of Belcombe and Mather had not been most atrocious.*

A. M.

IN answer to my Letter, Mr. J. Gray, after having repeated his sentiments of friendship, and again expressed his regret that he had taken any part in the transactions alluded to, and acknowledging that he had “committed an error in judgment,” proceeds thus—

“ BUT as you charge me with much greater faults than those I am now admitting, I must, in justice to myself, state the motives on which I acted.

* This was Dickens's Plea in his Epistle to Dr. Belcombe.

" IN the first place, it happened to me to take a prominent part in the Asylum Revolution, and to be instrumental in displacing Dr. Best. I was then charged with acting from pique to the ————— or dislike of Best, or friendship to Belcombe, his opponent. You, perhaps, would do me the justice to believe, (without approving of my conduct on that occasion,) that at least my motives were upright, and free from any of those imputations.

" WHEN I was apprised of Miss Horsman's confinement, which, according to the representations made of it to me, and from what I learnt also from yourself and Dr. Belcombe, appeared to me an illegal confinement, I immediately adverted in my mind to the intimacy between myself and some of the parties concerned. If I declined to interfere, I should have been accused of partiality, in reference to my former conduct. I should also be the means, perhaps, of the business being placed in less friendly hands. By undertaking it, I thought I might keep all quiet—might effect the object Mrs. Faber had in view; and, at the same time, preserve my own consistency of conduct, and serve my friends by keeping them out of an unpleasant dilemma. I acquainted Dr. Belcombe with what was in agitation. It was, if I recollect right, at his suggestion that I consulted Mr. Nicoll. It was at Mr. Nicoll's suggestion that I named it to Dickens. I considered Dickens's long intimacy with Belcombe, as a sufficient guarantee against any rash act of his. When Dickens had declared the line he should pursue, I immediately acquainted Belcombe. Dickens told me he had himself acquainted you.

" I am only going over this ground, to acquit myself of those worse motives, than error in judgment, or inconsideration, which you impute.

" HAVING arrived at this stage of the business, it seemed to me, that I had no alternative but to proceed. The affair was in Mr. Dickens's hands; and he was not a person to be advised, or dissuaded by me: Mrs. Faber too was not a person to shrink from acting up to Mr. Dickens's resolutions.

" I am not aware, that I have, on any occasion, brought this matter into discussion in company. I have been two or three times

attacked upon it, and I have then gone into the particulars with a warmth and asperity which I regret. But *litera scripta manet* ;— and I transcribe the conclusion of the statement, which I sent, by desire, to Mrs. Faber's Solicitor, of the transaction, at the time when I declined any further concern in it.

“ THE characters of Dr. Belcombe and Mr. Mather stand so high, “ that it cannot be suspected they have acted from any mercenary motives. They have been imposed on, by the representations of the Bulmers, as to Miss Horsman’s threats against her own life, and have “ erred from a high, but mistaken, notion of the prerogatives of the “ Keepers of Madhouses. Any interference, however well intended on “ Mr. Mather’s part, to conquer Mr. Matterson’s scruples as to certifying “ the lunacy, appears inconsistent with his situation as a Keeper of the “ Madhouse ;—but there is no doubt that his motives were upright ; and “ that the poker affair was a sudden ebullition, and arose not from a “ design of intimidation, but from impatience at any opposition of “ opinion on the part of his former partner,—a person much his junior, “ and one whose whole conduct on this occasion, to say the least, conveys “ no favourable impression.”

“ I by no means expect that you will coincide in the above, nor do I copy it with any such view ; but that you may know what was the manner in which I represented the affair.” With respect to ‘the mistaken notion,’ above alluded to, it is one which I myself had also fallen into, until this affair came to be investigated. I supposed that the medical certificate of insanity was a sufficient authority ; I mean where it is full and satisfactory. But the Act of 14 Geo. III. c. 49. s. 31. after reciting that it is not intended to give the keepers of any houses to be licensed, any new justification, from their being able to prove that the persons so confined, have been sent there by such direction and advice as are required by this Act, enacts, ‘ that in all proceedings, actions, &c. for confining any of his Majesty’s subjects in any of the said houses, the parties complained of, shall be obliged to justify their proceedings according to the course of common law, in the same manner as if this Act had not been made.’ ”

“ I am wandering from the point, which was that of vindicating myself from the ungenerous and unkind imputations which you throw out ; and which I forbear to quote.

" I put it to your own candour, at this distance of time, whether any unworthy motive could have actuated me? What motive on earth could induce me deliberately or intentionally to injure one who has uniformly acted to me as a friend, and has given me many practical proofs that he was so in reality; and whom it certainly could not be my interest, but the reverse, to offend, by undertaking a Quixotic enterprise for persons who were utter strangers to me?

" WITH respect to the observation, that no steps were taken by me to remove the impression, &c., you will recollect that you and Dr Belcombe were understood to have come to a determination to take such steps as the law might authorise, against the parties concerned; and if this consideration induced you to forbear sending me any note or letter which Mr. Russell had not perused on your behalf, some caution was proper on my part, that I might not, by any admissions of mine, prejudice those who had acted with me in the business. With respect to an interview with Miss Horsman, I am perfectly ready to meet her before any person or persons—but if it be to be informed of the kind and humane treatment which she received in the house at Clifton, and from yourself in particular, and the readiness she had expressed to remain there, until certain arrangements were made, I think it only justice to her to say, that to me, on her first liberation, and uniformly ever afterwards to Mrs. Faber, she expressed herself as grateful to you for your kindness, and made no complaint whatever, except that she was strapped down in bed every night, till 3 or 4 nights before she was taken away.

" ANY admission or acknowledgment on my part, I am ready to make, as to the regret I feel at the transactions which took place, and at the consequences of it: but I cannot conscientiously go the length of admitting, or leaving it to be inferred that I admit, that Miss Horsman was deranged at the time of her being sent to the House at Clifton, or at any period of her confinement. I shall always continue to think her confinement illegal; but have the fullest persuasion that your motives and Dr. Belcombe's, were honourable, kind, and disinterested.

" I remain, Dear Sir,

" Yours very sincerely,

" JONA. GRAY."

" YORK, January 18, 1819."

AN Answer to Mr. Jonathan Gray's second Letter was written almost immediately, but, by the advice of friends, was retained, in the hope that some further conciliatory measures might be proposed. Mr. J. Gray's acknowledgment of his conviction of our integrity seemed to afford the hope, that those testimonies which he had privately offered in writing he would not withhold from the Public. In the mean time, we had met in social parties, and our former sentiments of friendship seemed reviving : I was therefore the more unwilling to prevent, by the animadversions on his conduct, which I had committed to paper, the completion of an amicable adjustment of our differences. Latterly also, the report of our being included in the *action*, rendered any communication improper.

THE circumstances of the trial have, however, taken away all these restraints : and, as the comments upon his letter, which occurred to me at the time, when I sat down to answer it, afford, in my opinion, a complete vindication of our conduct through the whole of this affair, I shall give them in their original form.

To Mr. Jonathan Gray.

" On the perusal of your last Letter, sentiments of a varied and conflicting nature, were produced in my mind. The *conciliatory* manner in which it commences was gratifying ; as expressing the value you had put upon my friendship. I read with pain the *apologies* you repeated ; for so far as regards my *private feelings*, they were unnecessary ; and I had before stated, sufficient atonement had been made to them. On the further perusal of your Letter, I was much chagrined at finding, although you allow you 'erred in judgment,' that you

sheltered yourself under the imputation of an *illegal act*, to the part which Dr. Belcombe and I had taken; and under a representation of my conduct in particular, which I had supposed you were long since convinced was incorrect; and also that you insinuated the *legality* of your own and Dickens' conduct—which we utterly deny. And lastly, after you had lamented ‘the injury you had inflicted upon your friend,’ I am disappointed that no steps were taken, or overtures made, towards repairing *this public injury*. It is principally *this* we now complain of: and as some time has elapsed since your last communication, and the *stigma* upon us and our Establishment still remains; and as you assume *motives* in your vindication, which, however feasible they may appear to you, I cannot admit to be at all satisfactory or correct,—I find it necessary, in justice to Dr. Belcombe and myself, to comment freely upon your Statements.

“ I begin with your *motives*. The *first* you adduce, referring to the ‘Asylum Revolution,’ in which you say you ‘took a prominent part,’ I must consider as perfectly irrelevant; but, as you have introduced the subject, I shall briefly state *my* motives and conduct on that occasion.

“ So far as the Establishment at Clifton was attacked, and Dr. Belcombe’s measures and my own were animadverted on, I thought it right to reply; and in giving the retort courteous, I believe, it will be allowed, I was happy enough to avoid any indications of asperity. Further than this I did not feel myself called upon to interfere; and particularly as I was situated, it would be difficult to avoid the imputation of interested or selfish views.—Nor do I believe that Dr. Belcombe considered himself in any manner Dr. Best’s opponent, so far as the Asylum was concerned; or your measures there at all favourable to him. So far then I did not approve of, nor coincide in the line of “conduct pursued by you on that occasion;”—but far be it from me to suppose that your “motives were not upright.” I have thus touched upon the extraneous matter of the Asylum Revolution, which nobody but yourself ever dreamt of, as bearing upon the subject in question; because I know I have been blamed by many persons for not having taken an active part in that affair;—and by your insinuation that ‘I did not approve of your conduct in it.

" You say, in continuation, that ' Miss Horsman's confinement appeared to you to be illegal, from the representations made to you; and from what you learnt also from Dr. Belcombe and *myself*? ' This passage, no doubt, refers to the '*question*,' which, in your former Letter, you say ' you asked me on this subject.' I here again disclaim all recollection of the circumstance. But the use you now make of it, I must think unfair; and a confirmation of my suspicion of something '*insidious*' in putting such a '*question*,' till you are pleased to state what *it* was, and my answer to it.

" You again enter at large upon your *motives*. They certainly appear to me most strange, as does the whole of your mode of reasoning on the subject. I wish not to dispute any man's declared motives; but if, in this instance, yours were dictated by *friendship*, I can only observe, that I hope never to be again favoured with such a proof of kindness. But why, I repeat, in the name of friendship and common propriety—in the name of that christianlike and gentlemanlike liberality, which ought never to be lost sight of among men of religious or civilized feelings—*why* was I not informed of the *measures* in which you were engaged; particularly as you held with me the appearance of the most confidential intercourse, during the whole time you were arranging them? You must know I should have put you in possession of all the circumstances of the affair; and introduced you immediately to the party supposed to be injured. But why proceed at all, where the character and interests of your '*friend*' were concerned, upon suspicious and *ex parte* evidence? Why did you not apply for information to the Bulmers?—or to her natural guardian—her *Mother*? You certainly would not wish to incur the imputation of sinking the christian and the gentleman, in the pursuit of the mere forms of your profession—a character, I cannot even now bring myself to apply to you.

" With regard to the particular acts of 'Dr. Belcombe,'—he can answer for *them* himself: but I may be permitted to observe, that his request that you 'would take Mr. Nicoll's opinion,' was a proof that he was desirous of being guided by the most impartial and accurate information;—and your admission in your former Letter, that he at the same time informed you that 'measures would, by the time you

obtained it, in all probability be arranged for Miss Horsman's restoration to her mother,' ought to have suspended your proceedings.— You had not now to do with the 'Bulmers,'* but with Dr. Belcombe. Here you gave a proof indeed of your determination 'to proceed.' Had you also applied to me, for I believe I saw you on that day, I could have told you that the arrangements, above referred to, were completed; and that in four days, viz. on Wednesday, the 3d of June it was fixed that she should leave *Clifton House*, (don't quarrel with the name†) in the company of her mother and other relatives, by mutual agreement. Had you not reason to believe that this would be the case? Then why this haste to call upon Dickens for his interference: but that you knew there was no time to be lost, and were determined to do that by *force* on the *Sunday*, which was to have been done *peaceably* on the *Wednesday*? I impute this to no other 'motive' than yourself has furnished,—' *You must proceed.*' My business is not now with 'Dickens.'—You knew the man. I shall only observe that his manner of 'acquainting me,' as you call it, was something like that of a Knight of the Road acquainting an honest traveller that he must have either his purse or his life.—You say I 'impute to you, worse motives than error in judgment, or inconsiderateness;' and that 'I throw out ungenerous and unkind imputations.' In my last Letter to you, I said, 'I shall not offer a conjecture on your motives:' I stated *facts*, in which you were concerned, and drew from them the inferences that naturally arose. These you have not answered, or even noticed. I wrote under a strong *sense of injury*, which I still feel; and my indignation against all the perpetrators of those *facts*, still exists, and must exist, as long as I retain the faculty of distinguishing right from wrong; or till public reparation is, in some way or other, afforded.

* Mr. J. Gray says, "Mrs. Faber had been disappointed by the Bulmers."

† When speaking of our Establishment, Mr. J. Gray has always honoured it with the name of *Madhouse*; and Dr. Belcombe and myself with that of *Keepers of Madhouses*.—As he likes a pun, I'll give him half a one in Latin: He seems to have acted upon the maxim—" *Quem Deus vult perdere prius DEMENTAT!*"

"THAT the injury I sustained was unjust and unjustifiable, and that with regard to myself, it was on your part 'insidiously' prepared, appeared to me a warrantable inference; and was stated with a view to afford you the opportunity of exculpating yourself. But your last Letter contains nothing to satisfy my mind that you had the smallest justifiable motive for deviating from that character of candour and ingenuousness which I had always, with pleasure, ascribed to you: and your '*appeal to my candour,—What motive, &c. should induce me to injure one who had acted uniformly as your Friend?*' I confess myself still at a loss to answer.

"You certainly do me but justice in the *sentiments* of 'Friendship' you attribute to me: but I consider no obligation as arising, on your part, from the many 'practical proofs' I may have had an opportunity of affording. I regret even now that they were not more numerous, and freely acknowledge myself a debtor to you on this score, and still more to your highly valued parents.

"THE next Paragraph in yours, brings me to that part of your conduct that has been the most painful to me; and in commenting upon which, I shall feel it difficult to express fully my views, without deeply wounding your feelings. I, however, disclaim all wanton or malicious intention of producing this effect, and must leave the result to the simple influence of *Truth*.—I just premise that I shall not now comment at large upon your co-operation with Dickens, in his attack upon the house, and *your* previous arrangements. Every one who witnessed the *deed*, was fully convinced that it had *your* aid and approbation; and you admit now, though somewhat in contradiction to your former statements, that you 'found no alternative but to proceed,' and that '*they acted with you.*' And you leave it to be plainly inferred, that you used no means of dissuading Mrs. Faber or Mr. Dickens from this unjust and violent outrage.—I again principally refer to the use you have made of the calumny, that Miss Horsman was 'strapped down in bed,' &c.; and the still more gross falsehood, that 'I threatened to break Matterson's head with the poker, if he would not sign the Certificate.'

"I also repeat, I know the failings of the human heart; and making due allowances for them, can suppose that, in the warmth of

discussion, and from an eagerness to vindicate yourself, you might unwittingly culminate our Establishment, and misrepresent our conduct: and as you "regret the *warmth* and *asperity*" with which you have done this, I forbear to urge any thing against the temper in which you have conducted these discussions. But, as you have also laid great stress upon these *misrepresentations* for your own *vindication*, and that of those concerned with you, I shall feel it my duty to enter at large upon this part of the subject.

"WITH regard to the *first charge*, before you had lent your aid in circulating it, might you not, in common candour, have satisfied yourself of its '*Truth*.' Dr. Belcombe, Clifton House, and *I*, were all within your reach. Upon enquiry, you would have been convinced that Miss Horsman was never '*strapped down in bed*' at all;—and Mr. Alderman Spencer will bear witness, that, in my presence, Miss Horsman could not maintain the assertion. The security of a leather strap, which you may now see, fastened upon one ankle, which allowed her to get into bed and out at pleasure, and which confined no part of her person but that one ankle, was put on by the caution of the Matron; who, being informed that Miss Horsman had meditated self-destruction, thought it her duty to prevent the possibility of her obtaining the means of executing her purpose in the night. (You will bear in mind that Miss Horsman had been two nights in the House before *I* saw her, or knew of her being there.)

"I aver, that Miss Horsman, on my inquiring if she was laid under any unnecessary restraint, or if her treatment was severe, never made the least complaint. And on my questioning the Matron, in her presence, respecting her treatment, when the ankle-strap was mentioned, she made light of it. *I*, however, ordered it to be discontinued, at the same moment; and if it was not, Miss Horsman can only blame herself for not having complained to me. Truly, Sir, the plea of misinformation is a poor excuse for thus calumniating an Establishment, the success of which depends upon its character for humanity towards it's unfortunate inmates.

"WITH regard to the other *subject*, I confess I enter upon the discussion of it with great reluctance; but it is necessary for my defence that this gross calumny should be refuted; and I lament much,

that you should be compelled, in company with the fabricator, to trust to such feeble support for your vindication. I shall refer first to your '*litera scripta*,' sent 'to Mrs. Faber's Attorney, at Leeds,'—'The character of Dr. Belcombe and Mr. Mather stands so high,' &c. &c. As you have a Copy, I need not transcribe this extraordinary composition, 'in which,' you say, 'you by no means expect I will coincide.' Certainly I shall not; because it is contrary to fact, and so gross a mis-statement of our views and actions, under the pretence of an apology, as would try the patience of an angel. You first here admit a false and calumnious accusation against a man whose 'character stands high,'—then you offer a *conjecture*; and on the strength of *it*, blame him for a supposed 'interference to overcome scruples,' &c. in terms which I have before noticed are inconsistent with true urbanity of manners;—then you give him credit for 'upright motives,' and in an affected anxiety to extenuate an attempt to extract that by violence which could not be done by persuasion, you give up this man 'of high character and upright motives' to the imputation of an *act*, which if done either to compel or intimidate any man on such an occasion, or '*from impatience at opposition of opinion*' on any subject, would render him fit only to fall into the *merciful* clutches of yourself and Dickens. Were you not informed of the real facts relating to this transaction, at the time you wrote your Statement to Mrs. Faber's Solicitor? Had not Mr. W. Bulmer informed you of them?—On the Saturday after you had broken into the house, which was the first time I had heard of this calumny, did not *I* remonstrate with you on your having affirmed it, and *dared you to assert that Mr. W. Bulmer had insinuated that I had threatened Matterson with personal violence in any shape, if he would not sign the Certificate*; when forsaking your usual ingenuousness and manliness of character, you observed, 'but W. Bulmer says you "did take the poker!"' Ought not this to have made you cautious in repeating the subject, and have induced you to have sought for every information respecting it.

"UPON this subject, it is, perhaps, fortunate that I have '*literæ scriptæ*' also.—Know then, that Mr. W. Bulmer and I, immediately after the above conversation with you, put down in writing, all that related to the transaction, that seems to have been the basis upon which you have founded alike your proceedings and your vindication:

And which, as it contains the detail of a few previous circumstances, I shall transcribe in full."

"ON Thursday, 7th May, 1818, I accidentally met Mr. W. Bulmer in the street, who said to me, I have been seeking for you; and mentioned the alarm into which Mrs. Horsman had been thrown, by the conduct of Miss Horsman; which, for a long time, he said, had been very strange; and which was supposed to arise from a morbid excitement, induced by the intemperate and constant use of stimulating liquors. The cause of their more immediate alarm at present, he stated to be frequent threats to destroy herself.

"I mentioned the necessity of having a Certificate of her mental derangement from some medical gentleman, without which we could not receive her at Clifton. He replied, Dr. Belcombe, to whom he had mentioned the state of Miss Horsman yesterday, had said the same; and accordingly he had desired Mr. Matterson to visit her, who had succeeded in obtaining a razor from her, which she had secreted; and desired that 'she might not be left alone a single moment—' that he would not be answerable for consequences, however short a time she might be left—and that he durst not remain 'in the house with her alone, on any account;—but that he declined giving a Certificate. I replied, 'Mr. Matterson may not understand the matter;' and being in haste, left Mr. Bulmer rather abruptly. A minute or two after this conversation, I met Mr. Matterson in the same street. He was on horseback. He mentioned the circumstance of his having been called to see Miss Horsman; and was about to make some observations, when I told him I had received a message to meet him on other business at three o'clock; and that afterwards we would talk further, adding 'as I have just told Mr. Bulmer, 'I did not think you might understand the matter.'

"MR. MATTERSON and I met upon the business of our former appointment: nothing was said upon the subject, till we joined afterwards Mr. Wm. Bulmer, who introduced the subject. Mr. Matterson repeated all that Mr. Bulmer had

told me in the morning, of his apprehensions, &c. &c. and of his having obtained a razor from her.

"I observed to Mr. Wm. Bulmer, 'there seems to be made out a pretty strong case of insanity; but as I intimated before, Mr. Matterson may not understand the matter.' At the word *matter*, Mr. Matterson took fire and exclaimed, 'Yes, Mr. Mather told me in Petergate that I did not understand my *Business*.' I replied, 'I certainly said no such thing, nor had I any thought of such an expression.' — He answered, 'You said then I did not understand the *subject*.' I replied, 'By no means: I said the *matter*; meaning—[He broke out before I could proceed,]—*Matter, subject, or business*, its all one; and such expressions are both *ungentleman-like** and *unprofessional-like*.'"

"I was certainly not a little provoked at the prevarication that preceded such an insult; and this sudden and unexpected attack, roused my indignation and threw me off my guard; the poker was lying at my foot, and I took hold of it, and said,—'If you repeat those expressions, I'll break your head!' My astonishment was equal to my indignation, when he denied having used those expressions. Mr. Wm. Bulmer, in surprize, said,—'Certainly you did Mr. Matterson; you said both *ungentleman-like* and *unprofessional-like*.' He then said, he did not mean to use them; and afterwards apologized for having done so. Mr. Wm. Bulmer then asked me to go over to Poppleton with Mr. Matterson; when I replied, in terms of the strongest indignation, I would have nothing to do with Matterson in the business. Another person then came into the room, between whom and Mr. Bulmer and Mr. Matterson, the subject of Miss Horsman's malady was renewed. I said very little more, except in explanation of the terms that had given offence. Mr. Matterson, in my hearing, having pleaded conscience, I finished what I had to say, in

* I write literally: these were the terminations Mr. Matterson used.

these words : ‘Conscience is a strong plea; I would not say a single word to persuade you.’

The above Statement is true.*

WM. BULMER.

“I should have supposed Mr. Matterson would have been the last man in the world to repeat these circumstances, so disgraceful to himself; and that he would have considered my observation, that he ‘*might not, perhaps, understand the matter,*’ to be, what I intended, the best apology for his inconsistencies. Now, Sir, you will perceive—that there was no ‘attempt made to conquer scruples;’ for I had not uttered twenty words; and those in explanation, or rather in an attempt to explain, *what Mr. Matterson appeared to be unacquainted with*, when he put a stop to all discussion.—‘That the poker affair did not arise, from impatience at any opposition of opinion,’ for no opinion had been given on either side, unless you choose to call his avowed instructions, with regard to the care to be taken of ‘Miss Horsman, lest she should destroy herself before morning; or if she were left for even so short a time,’—*an opinion*—in which I shall perfectly agree with you. You will also perceive that your favourite prop, the ‘*poker affair*,’ ‘was a sudden ebullition’ to repress *insolence* ‘on the part of a person, much my junior;’—and that it *might* have happened upon any other occasion, where a similar insult had occurred. But the most extraordinary part of the story remains to be told. After I had left him in the custody of his *conscience*, I went home, and knew nothing of a Certificate having been given, or of Miss Horsman’s confinement at Clifton, till I found her there, on my visit to the House, two days after, viz. on Saturday,

* The Manuscript from which this Statement is copied, was also read, by one of our Solicitors, to Mr. Matterson, who allowed its truth in every material point.

How far I have got wrong, I have frankly told the public: let every other person concerned in this apparently intricate affair do the same, and the mystery is easily unfolded.

the 9th. I was afterwards informed, that he had called upon Dr. Belcombe, and about nine* o'clock the same evening, had given to him a Certificate of Miss Horsman's insanity, and had then actually gone to Poppleton in a chaise, in which Miss Horsman was placed, and accompanied by him, she was conveyed to Clifton; and, by his act, put into the house !!! †

" WITH regard to your expressions '*of our high but mistaken notions of the prerogatives of the keepers of madhouses,*' I confess myself at a loss to understand such terms. But I must thank you for your quotation from the Act of 14 Geo. III. c. xlix. s. 51. as affording the fullest condemnation of the proceedings of yourself and Dickens:—'*Shall be obliged to justify their proceedings according to the course of common law,*' cannot, by any interpretation that ever entered into the head of any one but a lunatic, be construed to mean, *shall justify persons breaking open 'the house,' and by force taking away a person, staying there* (as you admit) *by her own consent.* To have acted upon the provisions of this clause, would have been, in such circumstances, certainly unkind and oppressive;—but it would have been comparatively fair and legal; and, we lament, that this course was not pursued, which would have given us an opportunity of '*justifying our proceedings.*' The laws of our country we respect, and are at all times ready to be amenable to them;—but we object to any Attorney, Lawyer, or Magistrate, taking the Law into his own hands, and becoming Judge, Jury, and Executioner. We consider our rights as British subjects invaded. Of *this* we complain, and also of injury to us in our professional characters. For this injustice to us, I again repeat, no reparation has been offered.

WITH regard to the Certificate—if *it* is not sufficient authority for receiving a patient—what is? You know there is no form directed by the Act; and I cannot conceive one more '*full and satisfactory,*' than that which expresses, that '*a person is disturbed in mind, and unfit to be at*

* Different hours have since been stated by different persons to me; but I know nothing but from report.

† This also appeared upon the Evidence.

large,' particularly where the medical man giving the Certificate, has previously declared, that 'the person ought not to be left a moment, &c. and that he had obtained a secreted razor from her.'—That the Certificate wanted a seal, we lament, because of the pretence it afforded to our '*Friends*' for their ungenerous behaviour;—and because it has been our study to conform to the law in every instance. But we are frank to confess, that we were not aware that a seal was necessary.—And we concede to you all the legal shelter that this affords you, and will tell you further, that we always thought the *signature* sufficient; and I believe the same observation will apply to every one receiving or sending Certificates. But you will not argue that this invalidated the Certificate. The law inflicts a penalty for the *informality*, which we would rather have paid, than have been subjected to the outrages we complain of; and we think it neither honourable nor manly in you and *Mr. Dickens* to skulk under it. *Apropos!*—'Why did not the Visiting Magistrate find this out before; and in kindness to his friend, Belcombe, inform him of the defect?*—But your letter calls on me to '*proceed,—having got so far.*'—

" You leave it to be inferred from your next observations, that you have taken no steps to repair the injury, &c., because a Lawsuit was threatened, and 'you might, by any admissions of yours, prejudice those 'who had *acted with you* in the business.' Truly you here exhibit a proof of delicacy, which I most sincerely wish you had afforded me when they *set you a-going*. With regard to the delay in sending my answer to your first Letter—you know the respect I have always had for Professional authority; but, I frankly confess, I saw no reason for detaining it, and I now regret that it was not sent on the day it was written, viz. that on which I received your's.

" I unwillingly proceed to comment upon what remains of your letter:—Although your acknowledgment of your having the 'fullest

* It is a remarkable circumstance that Mr. Dickens had visited Clifton House, almost ever since its Establishment, and never noticed this defect until this occasion.

‘persuasion that our motives were *honourable, kind, and disinterested*,’ I must consider as a gratifying concession; and I can easily believe ‘that ‘you feel,’ upon the review, considerable ‘regret at the transactions ‘that took place:’ Your candid statement also of ‘Miss H.’s ac- ‘knowledgment of her general kind treatment,’ and of ‘my kind- ‘ness in particular,’ and of ‘*the readiness she had expressed to remain ‘at Clifton till certain arrangements were made,*’ seemed to afford an earnest that complete justice might be expected from you to our *public character*. But your concessions, unfortunately, always contain *inculpations of our proceedings* on this occasion, and a *vindication of those of yourself and Dickens*. You say *ours* were ‘illegal;’ when, by carrying your candour a little further, you might have admitted that you were conscious *your joint act of breaking open our house was illegal.*’

“YOUR words are,—‘I cannot conscientiously go the length of admitting, or leaving it to be inferred that I admit, that Miss Horsman was deranged at the time of her being sent to the house ‘at Clifton, or at any period of her confinement. I shall always ‘continue to think her confinement illegal,’ &c. It is not without great surprize that I see you deciding so promptly upon the most difficult of all questions,—that of *the various modifications of mental derangement*; and particularly when you had never seen the patient till you bore her away in triumph to the ladies in the chaise on the Sunday; and particularly when you knew, or ought to have known, that there was a brother of her’s in the *Asylum*. You dare to do more than *I* dare to do. *I dare not* assert that Miss Horsman was not deranged during the period you mention.—What you ‘admit,’ or do not admit, then amounts to nothing: for what steps did you take to inform yourself on the subject? You neither desired to see the person, nor sought information from any one likely to afford it; but proceeded upon imperfect and garbled accounts, and that of incompetent persons. And thus, upon *ex parte* evidence, you proceed to justify yourself at the expence of the understanding, or integrity of all parties concerned, by inferring that Miss Horsman’s ‘confinement was illegal.’ Are you prepared to invalidate the testimony of her Mother?—of Miss Scott?—of Mr. W. Bulmer? Surely some little christian charity is due to these persons as well as to others. If *their statements* be half

true, you make out a worse case for Miss Horsman than that of *temporary derangement*,

"I have hitherto most cautiously avoided saying any thing that could affect Miss Horsman's character: nor do I think it my province to prove any thing against her, or in favour of her relatives, who you suppose interested in wrongfully accusing, or illegally confining her. But I would ask you,—Have you never known a phrenzy occasioned by intemperance, or other causes affecting the mind through the bodily organs, soon terminated by removing the cause, and rectifying the bodily indisposition? If you have not, I have: and pray tell me how to draw the line between this and temporary mental derangement.

"A. M."

IN publishing these letters, I am not aware that I have been guilty of any breach of confidence. Such passages as were of a private nature, I have omitted. And since the trial, I have offered to Mr. J. Gray copies of his letters, to which offer he has returned no answer. They embrace a comprehensive view of the subjects included in the late action—afford the most favourable view that Mr. J. Gray could offer of the part he took in the transactions referring to them—are honourable to his feelings of private friendship—and contain concessions and exculpations; so far as relates to his opinion of Dr. Belcombe and myself, from motives of a sordid or sinister nature, which, if they had been made public, would probably have prevented any action against us, and rendered this publication unnecessary.

THERE cannot be a doubt, that the act of breaking open the house and forcibly taking away Miss Horsman, was one very material basis upon which the action was founded. The evidence of Mr. J. Gray and Mr. Dickens

principally, if not wholly, referred to the motives and conduct of Dr. Belcombe and myself. It has been abundantly proved, to the satisfaction of every impartial person, who has perused the foregoing pages, that both these gentlemen knew that Miss Horsman was speedily to be restored to her mother; and yet they broke open the house with violence and took her away: they were, therefore, interested in vindicating themselves. It is not to be supposed that it could be otherwise; and, without any intention of imputing bad faith to them, it is not possible to acquit them of the common failings of human nature, nor is it probable that, after a lapse of fifteen months, their recollection of events should be perfect. The connecting links in the chain of the alledged conspiracy, which entangled Dr. Belcombe and myself, were, the imputation that we did not believe Miss Horsman to be *insane*, and that we took her into our house at Clifton, to cure her of the habit of intemperance imputed to her; and that the Surgeon and Apothecary, who signed the Certificate, was compelled to do so by the threat of having his head broken.* The first allegation was attempted to be proved by the evidence of Mr. J. Gray, who asserted that I "had declared she was not *Insane*, but had been "brought there in a state of considerable *agitation* "arising from *intoxication*." Here, Reader, observe the *antithesis*. Mr. J. Gray will say, it is my own. I disclaim it. Mr. J. Gray will say, he so *interpreted it*. Had he said so in Court, I should *not have consented to the interpretation*, but have thought it fairly stated.

* See the 5th and the 112th pages of the Report of the Trial, where misrepresentations as *extraordinary* as were ever uttered in a Court of Justice were put into the mouth of the Counsel.

But afterwards, in a printed paper, he says, he understood the expression to mean bordering, or "to border, on insanity." This certainly comes a little nearer to my view of Miss Horsman's state of mind, when she came to the house at Clifton. What that was, will be best proved by the directions I gave to the Matron, as presently will be noticed.

It is very painful to relate any thing respecting a person who has been committed to our care, and of Miss Horsman I have been at all times exceedingly unwilling to state any opinion; nor is it our custom when any person is under our treatment, and any inquiry is made whether they are "Insane" or "Mad," to answer any such question, which we always think indelicate, in an explicit manner.

It appears from Mr. J. Gray's evidence, that Miss Horsman was *mentioned* in a conversation between him and me. I *mentioned* her to Mr. W. Bulmer, as soon as I found her convalescent, and arranged with him the interview that has been noticed. I only once *mentioned* her name to Mr. Bulmer, sen. as has also been recorded. I had not named her to any one else, till I met with Mr. Dickens;—and I here have no wish to say any thing disrespectful of her, for although a verdict for 50*l.* has been obtained against us, I still think Miss Horsman most unfortunate, and, I repeat, so far as Dr. Belcombe and I am concerned, an *innocent cause* of our persecutions.

My opinion, then, and my instructions to the Matron, were in these words:—"There seems to be

to afford one proof against us, as to the fact of our being implicated in the conspiracy; while we were neither permitted to offer our own opinion, nor our interpretation of the expressions asserted to have been used by us.

But the grand prop of the charge by which we were implicated, was the allegation, that the Certificate was signed under the impulse of "Terror!" This has been so often said and unsaid—alleged and denied,—stated and contradicted, by the person referred to as its author, that it is a matter of the greatest astonishment, that it could be foisted into a brief, uttered in Court by a Counsel, or for a moment entertained, in its most qualified form, by the *Witness*. This one *Witness* was the only person referred to for the support of the calumny; and he was the only one that did refer to it. Without saying more respecting this point, I cannot but lament that he had not, in fifteen months, obtained more accurate information. It would have been a very easy matter to have seen Mr. Matterson, Mr. Bulmer and me together, if he had still a doubt, and have known the whole truth before the subject was brought into Court.

I cannot, however, let this opportunity pass, without stating that I could not at any time mean to be understood that *Miss Horsman was not "Insane"* when she came to Clifton: and also declaring that the allegation, that threats or remonstrance were used by me to induce Matterson to sign the Certificate, was a gross misrepresentation. And yet one of the most respectable of the Plaintiff's witnesses is brought, by her advisers, into Court

for the very purpose of giving the semblance of credibility to these untruths. How far they succeeded, the remarks of Plaintiff's Counsel and the verdict will abundantly shew.

THAT the evidence of the other person might have been materially rectified or elucidated, and his memory much assisted, had I been permitted to give evidence, will appear by a comparison of his Testimony with my Statement of the Conversation that passed between him and me in Bootham, and the Depositions of the Matron and Robert Horton, all of which were committed to writing immediately after the transactions alluded to ; and, therefore, we are able to "state the exact words,"* though he "could not state" those of Mr. Bulmer ; and are able, without the assistance of Mr. Scarlett, to "recal material points to our own recollection."† Indeed Miss Micklethwaite assisted his memory a little, with regard to the holding up of the Note. After all, a man is not to be blamed, if Providence has not blessed him with a good memory. Mr. Dickens seems, however, to have remembered, that Miss Horsman took a good deal of persuading, before she would leave the place ;‡ yet I cannot but think it unfortunate, for the reputation of Dr. Belcombe and myself, that he could not, while in Court, remember something more of what passed on the subject of breaking the House open. I have the authority of Mr. Bulmer,

* See p. 28 of Report.

† See p. 30 of Report.

‡ Mr. Dickens says he was five or six minutes in the bed-room before she would consent to go. The Matron thinks he was near ten minutes there.

and his son, Mr. Francis Bulmer, to state, that Mr. Dickens was mistaken in one sentence which he recollects to impute to me, and which, according to his account, determined the incarcerated Lady to go with him. He says, that "I told him (and he repeated it to Miss Horsman) "that Mrs. Faber was as great a drunkard as herself." This I also positively deny.—As to the rest of his evidence, I shall not here comment upon it, except to notice the expression that "I was deceiving Miss Horsman!" which the Matron has uniformly declared he prefaced with the appellation of *villain*, though Mr. Dickens says he does not recollect it.—Reader, ponder over this sentence—"Mather is a ——, and *is deceiving you.*" Consider the official character* of the individual by whom it was uttered! Consider the person to whom it was addressed—one who was declaring her confidence in the object of his censures, and under whose protection she avowed she had placed herself, and was determined to remain; and of whom she had just been speaking in terms the very opposite to those used by *this "gentleman."* There seems, indeed, to have been a little debate upon the subject between the Knight and the incarcerated Lady: she would not allow the charge to pass without expressing her disapprobation—"not Mr. Mather, it is the Bulmers that have done that." As I was not present to defend myself, I must here thank Miss Horsman for her defence of me; and I seriously declare that even now I would rather have her good opinion than that of her deliverer.

* As Commander of the *Possessor Comitatus.*

HAD *Mr. Matterson* been examined upon oath, I have no doubt he would have stated explicitly, what indeed he has already declared to several people, that he was neither influenced by fear, or persuasion on my part, to sign a Certificate of Miss Horsman's insanity; and that he did not give *me* any Certificate, or discuss the purport of one with me. Had *Mr. W. Bulmer* been allowed to give evidence, he would have cleared up all the mystery of her being insane on the Wednesday, and "not insane by the time she got to York," on the Thursday night; and have taken *Mr. J. Gray*'s favorite prop—the poker, from under him. He would have explained what was wanting, respecting the time the Certificate was given—and to whom:—he would have, upon oath, declared that all that I had to do in the business of ascertaining Miss Horsman's state of mind, or of signing a Certificate, or taking her to Clifton, was to speak two sentences, viz.:—"there seems to be a pretty strong case of insanity made out;"—"but *Mr. Matterson* may not understand the matter:" and he would have deposed, that after the insult that followed these words, I disclaimed all further interference, and actually knew nothing of Miss Horsman's confinement, or of a Certificate, till Saturday the 9th of May.

HAD *Dr. Belcombe* been examined upon oath, he would have stated the strong case of mental derangement made out to him by *Mr. W. Bulmer*, and confirmed to him by *Mr. Matterson*, and have explained the hesitations and doubts, and apprehensions, that induced such vacillation of opinion and conduct in the latter. But as this was not permitted, it is necessary that these mysteries should here be a little unfolded.

THE perusal of the following copy of “a Brief Statement, &c.” will throw some light upon them :

“A Brief Statement of Circumstances, in which I, the undersigned WILLIAM BELCOMBE, was individually concerned, relative to Miss Jane Horsman’s removal and reception at Clifton House.

“On the sixth of May, 1818, the Rev. William Bulmer called at my house, and informed me that he was requested by Mrs. Horsman, of Poppleton, to apply to me to receive her daughter, Miss Jane Horsman, into the House at Clifton, on account of the alarm into which she had been thrown by the conduct of Miss J. Horsman, which had for some time been very strange. The cause of her immediate application, Mr. William Bulmer stated to be frequent threats to destroy herself; and that she was then provided with the means of effecting it,

“I observed to Mr. William Bulmer, that I could not receive any Patients without a Certificate from a Medical Man, who had seen them. He said Mr. Matterson attended Mrs. Horsman’s family; and he was sent for. On his arrival, Mr. William Bulmer again related the circumstances which had caused this great alarm, and the necessity of Miss J. Horsman’s being removed; and requested Mr. Matterson would go immediately and visit her, in order that he might give a Certificate. Mr. Matterson showed some reluctance to go, and observed, that if he should certify that Miss Horsman was insane, *he should lose her business.* I replied, ‘Surely, Mr. Matterson, you will not allow any consideration of that sort to prevent you from doing your duty;’ to which Mr. Wm. Bulmer added, ‘I should think not Mr. Matterson;’—Who replied, ‘No; certainly not.’ During this interview, I observed to Mr. Wm. Bulmer, that if Mr. Matterson declined to go, another course might be pursued; which was, that Mrs. Horsman might go before a Magistrate, and swear the peace against her—adding,

that it was equally a breach of the peace for any one to attempt their own life, as that of another person. Some conversation ensued between Mr. Matterson and Mr. William Bulmer, of which I do not recollect the particulars. They went away, and I saw no more of the parties till towards the evening of the next day, viz. May 7th.

"I attest the truth of the above Statement,"

"WILLIAM BULMER."

"When Mr. Matterson called upon me to visit a patient of his, little was said about Miss Horsman ; nor did I ever on any occasion ask him to sign a Certificate, and from what follows, it is not like y I should have done so : for whilst we were together, he asked me to give him the form of a Certificate. I told him, there was not any particular form ; but that if he could certify that the patient was in such a state of mind as to render it dangerous, either to herself or others, for her to be at large, it would be sufficient ;—and, at his request, I wrote a Memorandum to that effect.

"In about an hour after this, Mr. Matterson came to my house, and, I believe, in company with Mr. William Bulmer, and brought the Certificate, and then confirmed the representations of the latter as to the state of his patient Miss H., adding, that 'he had got a razor from her, and had given directions that she should not be left alone for a moment, and that he would not, on any account, be left alone with her.'

"Mr. William Bulmer then requested Mr. Matterson would go for Miss Horsman, accompanied by a Keeper from Clifton House, and arrangements were made for this purpose.

*"I attest the truth of the two preceding paragraphs,
beginning 'In about an hour, &c."*

"WILLIAM BULMER."

"On Friday the 8th May, I visited Clifton House and saw Miss Horsman; I enquired how she had passed the night, and found she had given no disturbance; but had refused to get up, or take her breakfast, until overcome by the persuasions of the Matron.

"There was a marked degree of despondency and wildness in her countenance, and no doubt was entertained by me of the disordered state of her mind; I knew her not, nor to my knowledge had ever seen her before; I was indeed told, by Mr. William Bulmer, that Mr. Mather had formerly attended her family, and thought, on that account, he was the more proper person to prescribe for her.

"Of these circumstances Mr. Mather must have been entirely ignorant; and they are facts, which, by reason of the nature of the action, could not be brought into Court."

"WILLIAM BELCOMBE."

"I declare also, that Mr. Mather, must have been entirely ignorant of the circumstances to which my signature has been above affixed; and that I never had any conversation whatever with him, relative to Miss Horsman's removal from her mother's house, till the afternoon of May the 7th.

"WM. BULMER."

"*York, 20th August, 1819.*"

"As many false Reports have been circulated, importing that Mr. Matterson was compelled by threats, to sign a Certificate of Jane Horsman's Insanity, I declare, that I was the only person present during the conversation to which these Reports refer, and that no threats or persuasions were used by Mr. Mather to induce Mr. Matterson to sign a Certificate; nor was any Certificate, or the form of one, alluded to by him.

"The warm words that took place between the parties, was owing to a misconception and misrepresentation of an expression uttered by Mr. Mather, within one or two minutes after our entering the Room, and addressed to me,—'Mr. Matterson may not understand the *matter*:' On which, Mr. Matterson, after three times altering the term, exclaimed, such 'Expressions are both ungentleman-like and unprofessional-like.' This produced from Mr. Mather the sudden burst of resentment that has been so much misrepresented."

"After Mr. Matterson had apologized for the offensive words, I asked Mr. Mather if he would go over to Poppleton with Mr. Matterson. Mr. Mather, in terms of the greatest indignation, replied, he would have nothing to do with Matterson in the business, and soon after left him in the custody of his own conscience; for on Matterson mentioning his conscience to another Gentleman, who had come into the Room after the circumstances above referred to had taken place, Mr. Mather observed, "Conscience is a strong plea; not a word should be said to persuade you."

"WM. BULMER."

By the kindness and liberality of the Gentleman whose name is subjoined, the following Letter is allowed to be inserted:—

"Blake-Street, Monday, 8 o'Clock.

"DEAR SIR,

"UPON my return from the Country this Evening, I received your Letter relative to your intended Circular, which, I trust, will remove any false impression the Public may have received by the highly-coloured Statement made in Court. You may freely insert, that 'Mr. Matterson declared to me, that your quarrel with him did not arise from the Certificate, or were any threats used by you to induce him

'to sign it.' To this conversation I was ready to have given evidence, had it been deemed proper to have examined me upon it.

"I remain, dear Sir,

"Yours truly,

"B. WAKE."

"To A. Mather, Esq."

It is scarcely necessary for me here to add anything by way of comment on these testimonies. I shall leave them, with the other declarations in my answer to Mr. Jonathan Gray's letters, to the contemplation of the Public, and particularly to that of the parties conducting and interested in the late trial : a few remarks upon some other of the topics introduced into the evidence, and insisted on in Mr. Cross's opening speech and reply, shall close what I have to offer on this subject.

MUCH was said in Mr. Dickens's evidence about our "giving Miss Horsman up to her *Friends*." Let us consider the propriety of this phrase for a moment.—A person was committed by her *mother* and other near relatives to our care ; by mutual consent she is to join them again in a short time, and return home with them. Other persons, with whose *motives* I have here nothing to do, not in the smallest degree related to or connected with the party, demand, in the mean time, her liberation, and a Magistrate orders that she shall be given into the hands of these persons ; and not, as had been agreed upon, into those of her *mother*. By what authority could we have been justified in complying with this demand ? By what stretch of power could any man con-

vert a neighbour or acquaintance into a “nearer friend” than a mother? If it were not for the numerous solecisms and misrepresentations that have most marvellously crept into all the details of the transactions relating to this affair, men of common sense and British feelings would startle with astonishment. In the evidence of Elizabeth Johnson, the term is again introduced, “she ‘was not permitted to see her ‘*Friends*,’ or to write ‘to them.’” Not a single person, friend or foe, made any application either to Dr. Belcombe or me, or at the House, to see Miss Horsman, during the whole of her confinement there, till Sunday the 31st of *May*.— (Even Mr. Matterson, who had promised to visit her, never expressed the smallest wish to see her: * but gives an answer to a question from Mrs. Faber, of his own inventing, “That she could not receive a ‘Letter without an order from a Magistrate.’”) The faithful and vigilant nurse, who declared, “she would ‘rather leave her place than sleep with Miss Horsman;’ “who never saw Dr. Belcombe or me attending upon “Miss Horsman,” though “she saw us at the House,” and plumply asserts, that “Miss Horsman was not “visited by any medical man,” never mentioned to either Dr. Belcombe or me, or the Housekeeper, that Miss Horsman had expressed a wish to see Mr. Matterson, or to have pen and ink. It has, however, been allowed by Miss Horsman herself, that I offered her pen and ink, and promised to have her Letters faithfully conveyed, either to Mrs. Faber or Mrs. Scott.

* If he had, it would have been granted most readily: for it is a part of our plan to allow medical men to visit, and even prescribe for persons they have before attended.

I pass over all the Evidence that does not immediately concern our conduct and Establishment. Some errors, which, from the time that had elapsed since the events, or from embarrassment or misapprehension of the question, had crept into the Evidence of the Matron, will be corrected, by a reference to the Statement given in the early part of this Pamphlet ; and which was written fourteen months ago. I shall only observe that Miss Horsman's *return to her mother*, was always a part of my stipulation with Mr. W. Bulmer, and that I had pledged myself to Miss Horsman to take her to her mother, wherever she was ; or " wherever she should choose to go."

In the opening speech of the Plaintiff's Counsel, *ex parte* Statements were to be expected ; but in his reply, it might reasonably be supposed that nothing but what was supported by evidence, would have been positively asserted. Mr. Cross says, " You have it proved " by Mr. J. Gray, that out of the mouth of Mather it " was stated, that she was not insane." Mr. J. Gray, as before mentioned, in a paper printed since the trial, says, " I conceived Mr. Mather's emphasis to " convey this meaning, that though *insanity* was some- " what too strong a term to express her state of mind, " yet he considered it to border on insanity ; so I " believe I was understood by the Court." And he afterwards intimates that this was his " plain and " obvious meaning."

Mr. Serjeant Cross's interpretation then was, certainly, an exception to that of the Court : for he explicitly states otherwise, and I believe ninety-nine out of a hundred, who heard the Evidence, agreed with

him in his interpretation. I cannot, therefore, but wish that some further explanation of this “plain and obvious meaning,” could have been afforded in time to save the verdict; but I must thank Mr. J. Gray for offering, though late, this *salvo*, which diminishes “*somewhat*” from the imputation cast upon my honesty and consistency. But it may be remarked, that neither Mr. Cross, nor Mr. J. Gray, refer to the *time of Miss Horsman's coming to Clifton House*, but to a period when she had been already there seventeen days.

THE learned Serjeant goes on to state, “You have it in evidence that Mather by his conduct proved that she was not Insane.” What evidence? what evidence proved it? or what part of my conduct proved it? On referring to page 110 of the printed Report of the trial, I again ask, what proof had he that I refused to “let Miss Horsman see any one face of her Friends”—or what proof that an application was made by any one individual to visit her, or that Miss Horsman ever expressed a wish to see any one, and was refused? Or what proof that “I would not let her write a Letter to a single individual, with the exception of an insulting Letter, &c.” Not an iota.—On the contrary, had Miss Horsman been an evidence, she would, upon oath, have falsified all these insinuations. I affirm also, that there was not a word in the Letter alluded to, that could be construed into an *insult*. When did the learned Counsel see it?—With regard to the improbability* so strongly stated, of Miss Horsman “preferring staying” till the Wednesday, to going away on the Sunday—he had the evidence of Mr. Dickens and Miss

* See Report of the Trial, p. 110.

Micklethwaite, as to her express declaration to that effect. To the whole of the allegation, as contained in the Report, and comprised in the first three lines and an half of page 111, I will reply in his own language,—“I do aver it to be a misrepresentation.” He does not here quote any evidence in support of these declarations, and I have explained all the circumstances referring to them before. In page 112, these allegations are repeated, with the question, “Have you it not in proof?”—If Mr. J. Gray is the proof referred to, and he was the only person that mentioned the subject, he has since declared that his “information was, that the affair “of the Poker had nothing to do with signing the “Certificate, and so he distinctly stated it in Court.” Mr. J. Gray then, or rather I, must have been most unfortunate in the impressions conveyed by his evidence to the learned Serjeant, and by him thus handed to the Jury. With regard to the other comments of this Counsel, upon the state of Miss Horsman’s mind, and her treatment while at Clifton, I leave him in the hands of the venerable Judge, whose *charge* to the Jury completely exculpates Dr. Belcombe and myself upon both these topics.

It was my intention to have offered here a concise view of the law for the regulation of houses licensed for the reception of the insane, with remarks upon it as it now stands; and particularly as bearing upon the subjects that have lately so much excited the public attention; but this pamphlet is already swelled to a greater size than I had at first designed: A few reflections must, therefore, for the present suffice.

INSANITY seldom makes its appearance by a sudden attack. Many circumstances, indicating a deviation

from the usual conduct, excite the attention of relatives or friends. These become more frequent and more strongly marked, till arriving at a certain point, or upon the presence of some strongly exciting cause, the patient becomes ungovernable, or dangerous to himself, or those near him ; and losing self-controul and self-direction, he requires the restraint and guidance of others. Such persons can seldom be managed at home. Their nearest connections are often the objects of their fury, and consequently soon lose their influence—add to this the terror and anguish that attend the invasion of any family by such a terrible affliction, and it will be easily conceived, that for the better security of the afflicted person, and for the preservation of their own reason and domestic tranquillity, they are constrained to submit to a separation from, perhaps, a beloved object, and to seek for that assistance from others, which it is not in their own power to afford.

THE first plan that, for the most part, offers itself to the minds of relatives so situated, is that of confinement in a private family, where the patient can be under medical superintendence ; in the hope that the disease may be rendered of short duration, and the imputation of having been under its influence, may be afterwards avoided. But this is attended with an expence inconvenient to many families, and though, in some cases, preferable, affords less means of security, or proper treatment.

It ought always, however, to be permitted to the relatives to make this choice ; and no licence should be required for the house receiving one such person—for it seldom happens that, where friends are willing to

incur the expence, there can be any sinister motive for confinement, or that the latter can be long kept a secret from the neighbourhood.

THE plan then, most generally adopted, is to send persons so afflicted, to houses fitted up for their reception; and to prevent abuses, the law has very properly taken such persons under its protection, by imposing restrictions, aided by penalties, upon those managing them, and preventing them from being long or unjustly detained in them, by forbidding the application of their property to their maintenance, without a commission from the Court of Chancery. That the present laws require revision and some amendments, has been generally admitted. That the proposed amendments would correct all abuses, has been much doubted. I cannot here enter into the subject: but I may observe, as the law now stands, with some few alterations, the responsibility of the keepers, and the comfort of the patients, may both be completely provided for.

THE greatest security against abuses, would be a strict examination into the respectability and qualifications of those applying for licences. This should be conducted, not by Justices, who seem by the present Act to have no direct power of refusing a licence to any one, but by Medical Commissioners appointed for the purpose by Government, and aided by such civil or legal representatives, as may be thought fit—but not resident near the place to be licenced. The persons licensed, however, should not be considered as unprotected themselves, by the law, or to have forfeited their right as British subjects. It seems hard that they should be obliged to comply with forms under severe penalties,

and then be subjected to actions at common law for complying with those forms. Whatever the profits from these houses may be, (though I never heard of many that have obtained fortunes by them) they would soon be swallowed up, and the owners ruined, if often treated as the Proprietors of Clifton House have lately been. They, and all others keeping such houses, are at present liable to similar actions, for every person in their custody ; and must be obliged to prove what the law has never yet defined, to the satisfaction of a jury, by a detail of words and actions which convey no adequate impression but to those who heard and saw them, or who are accustomed to the behaviour of diseased persons. It has been known that even a Jury of 24 men have been two days in determining upon the sanity or insanity of a person who was brought into their presence, and at last decided wrong : and the person seemed as if determined, by his first voluntary act, to ridicule and stultify their decision.*

AMONG other reformations this should certainly be introduced, "let the penalties be great, but let not a Briton be liable to be punished twice for the same imputed fault." I have not space here to add more on this subject ; further reflections on the law for the regulation of private licensed houses may perhaps be

* The following circumstance came within the knowledge of Dr. Belcombe and myself, and can be authenticated beyond the possibility of doubt. A person of whose insanity there had been the strongest proofs, had nevertheless the adroitness to conduct himself so calmly before Commissioners appointed by the Court of Chancery, to examine into the fact of his Insanity, that after a long deliberation, they pronounced him "of sound mind." The same evening, he went home to his family, and his first act was an attempt to drown himself. This man was afterwards taken to the York Asylum in a state of raging disease, and died within three days.

offered at a future time. But if a person, committed by her nearest relatives to the care of those licensed to keep such houses, can be demanded by an *attorney* or *magistrate*, or any *stranger*, without a legal process—If these can, by breaking open the house forcibly take away such a person, either detained, or staying there by her own consent—If penalties can be imposed upon the Owners for informalities—and then an action lie against them for false imprisonment, and their characters be traduced as conspirators,* for accomplishing certain base purposes, in addition to those penalties—Then what man of civilized feelings or gentlemanly habits—what man of property, or of respectable rank in society—what man of learning or character, will engage in the care or treatment of this unfortunate class of mortals? They must be left in the custody of the vulgar, illiterate, and robust keeper, and the *Mind*, that might have been solaced and restored by the influence of manner and education, must be overthrown, debased, lost.

* It was no part of my province to make out any case against Miss Horsman, except so far as relates to our own vindication—or to offer any thing in defence of the family, whose name has been so conspicuously held up to the Public; but I cannot here omit to notice one among the many absurdities alledged as a ground of the Action. It is the charge against Mr. Bulmer, sen., of putting into his own pocket the money remitted for Miss H.'s support from her brother. It appeared, that he was to pay two guineas per week for her while at Clifton.—This is more than half of what passed thro' his hands.—Then he must maintain Mrs. Horsman and Ellen Scott, her grand-daughter.—*Quere*,—How much would he have put in his pocket? I think he would soon have tired of this: and that he acted most unwisely to apply to Clifton House, when he might have boarded her for £5s. per week, in similar Houses in the neighbourhood.





